

**UDOT Program Development**  
**Public Transit Team**

**2015 State Management Plan**

**&**

**Policies and Procedures**





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## ACRONYMS

ADA	Americans with Disabilities Act
AOG	Association of Governments
BRAG	Bear River Association of Governments
BTA	Basin Transit Association
CATS	Cedar Area Transportation System
CDL	Commercial Driver's License
CFR	Code of Federal Regulations
CVTD	Cache Valley Transit District
DBE	Disadvantaged Business Enterprise
EEO	Equal Employment Opportunity
FCAOG	Five County Association of Governments
FFY	Federal Fiscal Year
FHWA	Federal Highway Administration
FMCSA	Federal Motor Carrier Safety Administration
FMCSR	Federal Motor Carrier Safety Regulations
FMVSS	Federal Motor Vehicle Safety Standards
FTA	Federal Transit Administration
FY	Fiscal Year
GIS	Geographic Information System
GPS	Global Positioning System
ITS	Intelligent Transportation System
JARC	Job Access Reverse Commute
LEP	Limited English Proficiency
LOI	Letter of Intent
MAP-21	Moving Ahead for Progress in the 21st Century
MAG	Mountainland Association of Governments
MPO	Metropolitan Planning Organization
NTD	National Transit Database
OMB	Office of Management and Budget
POP	Program of Projects
PTT	Public Transit Team
RFP	Request for Proposals
RPO	Rural Planning Organization
RTAP	Rural Transit Assistance Program
SAFETEA-LU	Safe, Accountable, Flexible, Efficient Transportation Equity Act – A Legacy for Users
SCAOG	Six County Association of Governments
SEUALG	Southeastern Utah Association of Local Governments
SMP	State Management Plan
STIP	Statewide Transportation Improvement Program



TIP	Transportation Improvement Plan
UBAOG	Uintah Basin Association of Governments
UDOT	Utah Department of Transportation
USC	United States Code
USDOT	U.S. Department of Transportation
UTA	Utah Transit Authority
WFRC	Wasatch Front Regional Council



## CHAPTER 1. INTRODUCTION

### 1.1 Using the State Management Plan

The State Management Plan (SMP) describes the Utah Department of Transportation's (UDOT) policies and procedures for administering the state-managed portions of the Federal Transit Administration's (FTA) Section 5304, 5310, 5311, 5316, 5317, 5329, and 5339 programs. This SMP supersedes all previous versions of the SMP for the State of Utah and remains valid until FTA approves a subsequent SMP. The SMP is intended to facilitate both UDOT and subrecipient management by documenting UDOT's policies and procedures for administering FTA's formula grant programs.

Two federal transportation authorization bills—the Safe, Accountable, Flexible, Efficient Transportation Equity Act – A Legacy for Users (SAFETEA-LU, 2007) and the Moving Ahead for Progress in the 21st Century Act (MAP-21, 2012)—guide the FTA programs that UDOT manages. UDOT currently manages funds allocated to the State under SAFETEA-LU's 5304, 5310, 5311, 5316, and 5317 programs. In addition, UDOT is also managing MAP-21's 5304, 5310, 5311, 5239, and 5339 programs. The UDOT Public Transit Team (PTT) unit of the UDOT Program Development division is responsible for administering and managing these programs.

The policies and procedures outlined herein are designed to assist FTA in its reviews of FTA formula grant programs managed by UDOT, to guide UDOT in the management of its portion of FTA formula grant programs, and to serve as a guide and reference for subrecipients and the public. Deviations from the policies and procedures contained in this plan may be considered and are only allowed with written permission from the UDOT PTT Program Director. The PTT Director must document why the deviation is acceptable in the written permission document.

This document includes the following six chapters to articulate and define the federal and state roles, federal laws, UDOT policies and procedures, and the specific FTA programs that UDOT administers:

- Chapter 1, Introduction, describes the purpose of the document, defines key terms, summarizes the roles of a grantee (recipient) and subrecipient, and explains how FTA funding is passed through the State.
- Chapter 2, Roles and Responsibilities, describes the roles and responsibilities of all agencies and organizations involved in allocating, funding, and identifying FTA-funded projects.
- Chapter 3, Program Policies and Procedures, describes how UDOT funds, manages, and maintains compliance of all FTA-funded projects administered through UDOT.
- Chapter 4, Federal Legislation, outlines the laws that guide the distribution of federal funds and the requirements inherent to subsidizing programs and projects with federal dollars.
- Chapter 5, FTA Programs Managed by UDOT PTT, introduces the programs, federal guidance, and compliance requirements for each FTA program managed by the PTT.



- Chapter 6, Resources, lists resources that provide additional information on FTA programs and coordination.

UDOT reviews the SMP annually or when a request to review or update the SMP is received from FTA, the public, a subrecipient, or another agency or organization. The SMP is updated to address findings of reviews and to ensure it is current with federal regulations. When significant revisions to the SMP are proposed, UDOT provides an opportunity to receive comment from the public, potential subrecipients of assistance, potential service providers, other state agencies, representatives of other funding sources, and any relevant state associations and professional organizations. A significant revision is a change in eligibility or grant award cycle. FTA must approve revisions to the SMP unless the revisions are minor changes and technical corrections, in which case the revisions are submitted to FTA but approval is not required. Notifications of substantive revisions are distributed to ensure subrecipients are aware of changes, to obtain subrecipients' comments, and to address concerns subrecipients may have.

The UDOT PTT strives to promote safe and sustainable means of public transit throughout Utah. As a means to achieve this mission, the PTT will:

- Promote and advocate for public transit by raising awareness, building partnerships, and improving customer service.
- Support and promote new technologies and information to leverage the effectiveness of public transit resources.
- Further leverage transit resources by building relationships with stakeholder groups and by sharing information effectively.

## 1.2 Definitions

The following terms and phrases appear throughout the SMP. An understanding of these terms will aid readers who are not familiar with FTA and UDOT programs, policies, and procedures.

Aging Population: See "Senior Individual."

Americans with Disabilities Act (ADA): A law that prohibits discrimination and ensures equal opportunity for individuals with disabilities in employment, state and local government services, public accommodations, commercial facilities, and transportation (Public Law 336 of the 101st Congress, enacted July 26, 1990 (42 United States Code [USC]) 12101 et seq.), and later amended January 1, 2009).

Applicant: An entity that is seeking, but has not yet been awarded, specific federal financial assistance directly from FTA; used interchangeably with "grant applicant."



Bus and Bus Facilities Program (Section 5339): FTA formula grant program providing capital funding to replace, rehabilitate, and purchase buses and related equipment and to construct bus-related facilities.

Capital Asset: Facilities or equipment with a useful life of at least one year.

Capital Expenses: Expenses directly related to the acquisition, construction, and improvement of facilities or equipment used for public transportation purposes, including, but not limited to, vehicles and related equipment.

Capital Lease: Any transaction whereby the recipient acquires the right to use a capital asset without obtaining full ownership regardless of the tax status of the transaction.

Capital Project: A category of reimbursable project expenses that includes all activities identified in 49 USC 5302(3).

Commuter Bus: Fixed-route bus systems that are primarily connecting outlying areas with a central city through bus service that operates with at least five miles of continuous closed-door service. This service may operate motor coaches (aka over-the-road buses), and usually features peak scheduling multiple-trip tickets and limited stops in the central city (National Transit Database).

Community Transportation: Transportation services provided by or on behalf of a human service agency to provide access to agency services and/or to meet the basic, day-to-day mobility needs of transportation-disadvantaged populations, especially individuals with disabilities, older adults, and people with low incomes.

Competitive Selection Process: A process through which projects are chosen to receive funding. The process is conducted by the PTT in cooperation with local government authorities, with final approval from the Utah Transportation Commission.

Coordinated Public Transit-Human Service Transportation Plan (Coordinated Plan): Locally developed, coordinated transportation plan that identifies the transportation needs of individuals with disabilities, seniors, and people with low incomes; provides strategies for meeting those needs; and prioritizes transportation services for funding and implementation.

Cost of Project Property: The net invoice unit price—including the cost of modifications, attachments, accessories, or auxiliary apparatuses—necessary to make the equipment usable for its intended purpose.

Designated Recipient: An entity designated—in accordance with the planning process under 49 USC 5303 and 5304—by the governor of a state, responsible local officials, and publicly owned





operators of public transportation, to receive and apportion amounts under Section 5310, 5311, 5329, and 5339 grants.

- a. Disability: Per section 3(1) of the Americans with Disabilities Act of 1990 (42) a physical or mental impairment that substantially limits one or more major life activities of such individual
- b. a record of such an impairment
- c. being regarded as having such an impairment (as described in paragraph (3))

Eligible Low-income Individual: An individual whose family income is at or below 150 percent of the poverty line (as that term is defined in Section 673(2) of the Community Services Block Grant Act (42 USC 9902(2)), including any revision required by that section) for a family of the size involved.

Enhanced Mobility of Seniors and Individuals with Disabilities Program (Section 5310): FTA formula grant program for public transportation capital projects planned, designed, and carried out to meet the special needs of seniors and individuals with disabilities.

Federally Recognized Indian Tribal Governments: Those Indian tribes recognized by the U.S. Bureau of Indian Affairs for certain federal government purposes.

Formula Grants for Rural Areas (Section 5311): FTA formula grant program that provides funding to states for the purpose of supporting public transportation in areas with populations less than 50,000.

Individual with a Disability: An individual who, because of illness, injury, age, congenital malfunction, or other incapacity or temporary or permanent disability (including an individual who uses a wheelchair or has semi-ambulatory capability), cannot use effectively, without special facilities, planning, or design, public transportation service or a public transportation facility.

Indirect Costs: Costs that are incurred for common or joint objectives and therefore cannot be identified readily and specifically with a particular sponsored project, an instructional activity, or any other institutional activity (Office of Management and Budget [OMB] Circular A-21). The indirect cost rate is determined in the cost allocation plan.

Intercity Bus Service: Regularly scheduled bus service for the general public that operates with limited stops over fixed routes connecting two or more urban areas not in close proximity. This service has the capacity for transporting baggage carried by passengers and makes meaningful connections with scheduled intercity bus service to more distant points, if such service is available.

Job Access and Reverse Commute (JARC) Program (Section 5316): FTA formula grant program for projects relating to the development and maintenance of transportation services designed to



transport eligible low-income individuals to and from jobs and activities related to their employment. The program is also for public transportation projects designed to transport residents of urbanized areas and non-urbanized areas to suburban employment opportunities. Section 5316 was repealed by MAP-21 and limited elements were combined with the Section 5311 program.

Local Government Agency: Any of the following: a) a political subdivision of a state; b) an authority of at least one state or political subdivision of a state; c) an Indian tribal government; or d) a public corporation, board, or commission established under the laws of a state.

Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21): An act signed into law by President Obama on July 6, 2012, reauthorizing surface transportation programs through fiscal year (FY) 2014. MAP-21 replaces the Safe, Accountable, Flexible, Efficient Transportation Equity Act – A Legacy for Users (SAFETEA-LU). The law guarantees \$105 billion for FY2013 and FY2014 for highway, safety, and public transportation projects.

Mobility Management: Short-range planning and management activities and projects for improving coordination among public transportation and other transportation service providers carried out by a recipient or subrecipient through an agreement entered into with a person, including a government entity, under 49 USC 53 (other than Section 5309). Mobility management funding does not include operation of public transportation services.

New Freedom Program (Section 5317): FTA formula grant program for new public transportation services and public transportation alternatives beyond those required by the ADA that assist individuals with disabilities with transportation, including transportation to and from jobs and employment support services. Section 5317 was repealed by MAP-21, and elements were combined with the Section 5310 program.

Non-profit Organization: A corporation or association determined by the Secretary of the Treasury to be an organization described by 26 USC 501(c) that is exempt from taxation under 26 USC 501(a), or one that has been determined under state law to be non-profit and for which the designated state agency has received documentation certifying the non-profit status of the organization.

Non-urbanized Area: Any area outside of an urbanized area, including rural areas and urban areas with a population less than 50,000 not included in an urbanized area.

Older Adults: See “Senior Individual.”

Operating Expenses: Expenses directly connected with service operations, including but not limited to: fuel, oil, vehicle maintenance, drivers’ and dispatchers’ salaries and fringe benefits.



Paratransit: Comparable transportation service required by the ADA for individuals with disabilities who are unable to use fixed-route public transportation systems.

Program of Projects (POP): A list of projects to be funded in a grant application submitted to FTA by a designated recipient. The POP lists the subrecipients and indicates if they are private non-profit agencies, governmental authorities, or private providers of transportation service; designates the areas served (including rural areas); and identifies any tribal entities. In addition, the POP includes a brief description of the projects, total project cost and federal share for each project, and the amount of funds used for program administration.

Project Administrative Expenses: Expenses relating to the administration of a local transportation project, including, but not limited to, administrative salaries, overhead expenses, planning expenses, supplies, and office equipment used to administer the project.

Property: Equipment, supplies, and rolling stock.

Public Transportation: Surface transportation by a conveyance that provides regular and continuing general or special transportation to the general public, but does not include school bus, charter, or intercity bus transportation or intercity passenger rail transportation.

Rehabilitated Vehicle: A vehicle that has undergone a major mechanical overhaul, which would include all or many of the following replacement components: new engine, transmission, drive shaft, axle, differential, brakes, wheel bearing, fuel system, suspension system, steering system, electrical system, coolant system, exhaust system, and heating/air conditioning of a vehicle. Vehicle rehabilitation may also include, but not be limited to, cosmetic body or interior work.

Rural/Statewide: Areas within the State outside of the Small Urbanized and Urbanized areas.

Safe, Accountable, Flexible, Efficient Transportation Equity Act – A Legacy for Users (SAFETEA-LU): A bill signed into law by President George W. Bush on August 10, 2005, that guaranteed funding for highways, safety, and public transportation totaling \$244.1 billion.

Senior Individual: At a minimum, all persons 65 years of age or older.

Small Urbanized Area: An area that has been defined and designated in the most recent decennial census as an “urbanized area” by the Secretary of Commerce. These areas are classified with a population ranging from 50,000 to 200,000.

State Administrative Expenses: Expenses relating to the administration of an FTA program, including, but not limited to, administrative salaries, overhead expenses, supplies, planning, and office equipment used to administer the program.



State Management Plan (SMP): A document that describes a state's policies and procedures in administering the Section 5304, 5310, 5311, 5316, and 5317, 5239 and 5339 programs. All states are required to have an FTA-approved SMP. The SMP may be used internally or by subrecipients around the state. The document provides guidance in completing a letter of intent (LOI) to apply, explains pertinent FTA regulations, and provides a calendar showing important dates for the project development and application process.

Statewide Transportation Improvement Program (STIP): A five-year list of all individual state, city, and county transportation improvement projects, including highway and transit projects. The STIP is developed by UDOT and is jointly approved by FTA and the Federal Highway Administration (FHWA). The STIP includes the Metropolitan Planning Organization's (MPO's) Transportation Improvement Plan (TIP).

Statewide Transportation Planning Program (Section 5304): FTA formula grant program that is allocated to statewide transportation needs. The UDOT PTT disperses funds to areas outside of urban areas to assist with transit planning needs.

Subrecipient: A state or local governmental authority, non-profit organization, or operator of public transportation services that receives an FTA grant indirectly through a recipient.

Technical Capacity: Having the necessary staff with the technical training and experience to adequately manage and fulfill federal requirements, including the ability to meet documentation requirements, submit required reports correctly and on time, and maintain project equipment.

Transit Capital Investment Program (Section 5309): A program that provides capital assistance for three primary activities:

- New and replacement buses and facilities
- Modernization of existing rail systems
- New fixed-guideway systems

Transportation Improvement Plan (TIP): A prioritized, minimum four-year plan of projects addressing the most immediate implementation priorities of urbanized areas with populations of 50,000 or more. The TIP is developed and adopted by MPOs as part of the metropolitan transportation planning process. The TIP is approved jointly by the MPO and the governor, and incorporated into the STIP.

Urbanized Area: An area encompassing a population not less than 50,000 that has been defined and designated in the most recent decennial census as an "urbanized area" by the Secretary of Commerce. Urbanized areas, as used in the context of FTA formula grant programs, are areas with populations of more than 200,000.

### 1.3 Direct Recipient vs. Subrecipient

The UDOT PTT is the direct recipient of FTA funds. As the direct recipient, UDOT is considered the primary grantee and is responsible for daily grant administration and management, as well as ensuring that utilized funds comply with the grant agreement and applicable FTA circulars and regulations. The grantee is also responsible for funds that are "passed through" to a subrecipient.

"Subrecipient" refers to the entity that receives federal assistance awarded by the PTT rather than by FTA directly. Although UDOT may delegate any or almost all project responsibilities to one or more subrecipients, UDOT agrees that it, rather than the subrecipient, is ultimately responsible for compliance with all applicable federal laws, regulations, and directives, except to the extent that FTA determines otherwise in writing.

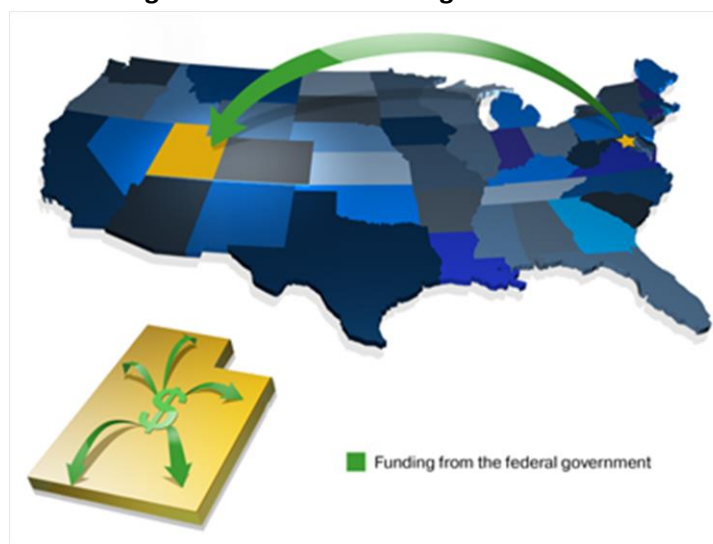
### 1.4 Federal Funding

The UDOT PTT applies for and distributes FTA funds on a competitive basis to assist subrecipients in providing services to senior individuals, individuals with disabilities, the low-income population, and the general public in small urban and rural areas statewide (see Figure 1.1).

The approximate amount of federal funds is based on previous years' allotments with an average annual increase. The amount is not guaranteed, but serves as a guide for the application process. The amount allocated to Utah is subject to the state of the national economy and the current/future funding bill, among other criteria.

UDOT's Statewide Transportation Improvement Program (STIP) is a five-year plan of highway and transit projects for the state of Utah. The STIP is maintained daily and includes transportation projects on the state, county, and city highway systems as well as projects in the national parks, national forests, and Indian reservations. These projects use various federal and state funding programs. Projects funded via the PTT are included on the STIP.

**Figure 1.1: Federal Funding Distribution**



## CHAPTER 2. ROLES AND RESPONSIBILITIES

### 2.1 FTA

The federal government, through FTA, provides financial assistance to develop new transit systems and improve, maintain, and operate existing systems. FTA provides overall policy and guidance for funds, which it apportions annually to state and local transit providers, primarily through its 10 regional offices.

Utah is one of six states overseen by the FTA Region VIII office. Region VIII also includes Colorado, Montana, North Dakota, South Dakota, and Wyoming (see Figure 2.1).

The regional office is based in Denver, Colorado, and is responsible for ensuring that grantees follow federal mandates along with statutory and administrative requirements. The responsibilities of the regional office include: reviewing and approving state grant applications, obligating funds, managing grants, overseeing states' implementation of the annual Program of Projects (POP), receiving state certifications, reviewing and approving SMPs, providing technical assistance and advice to the states as needed, and performing state management reviews.

**Figure 2.1: FTA Region VIII**

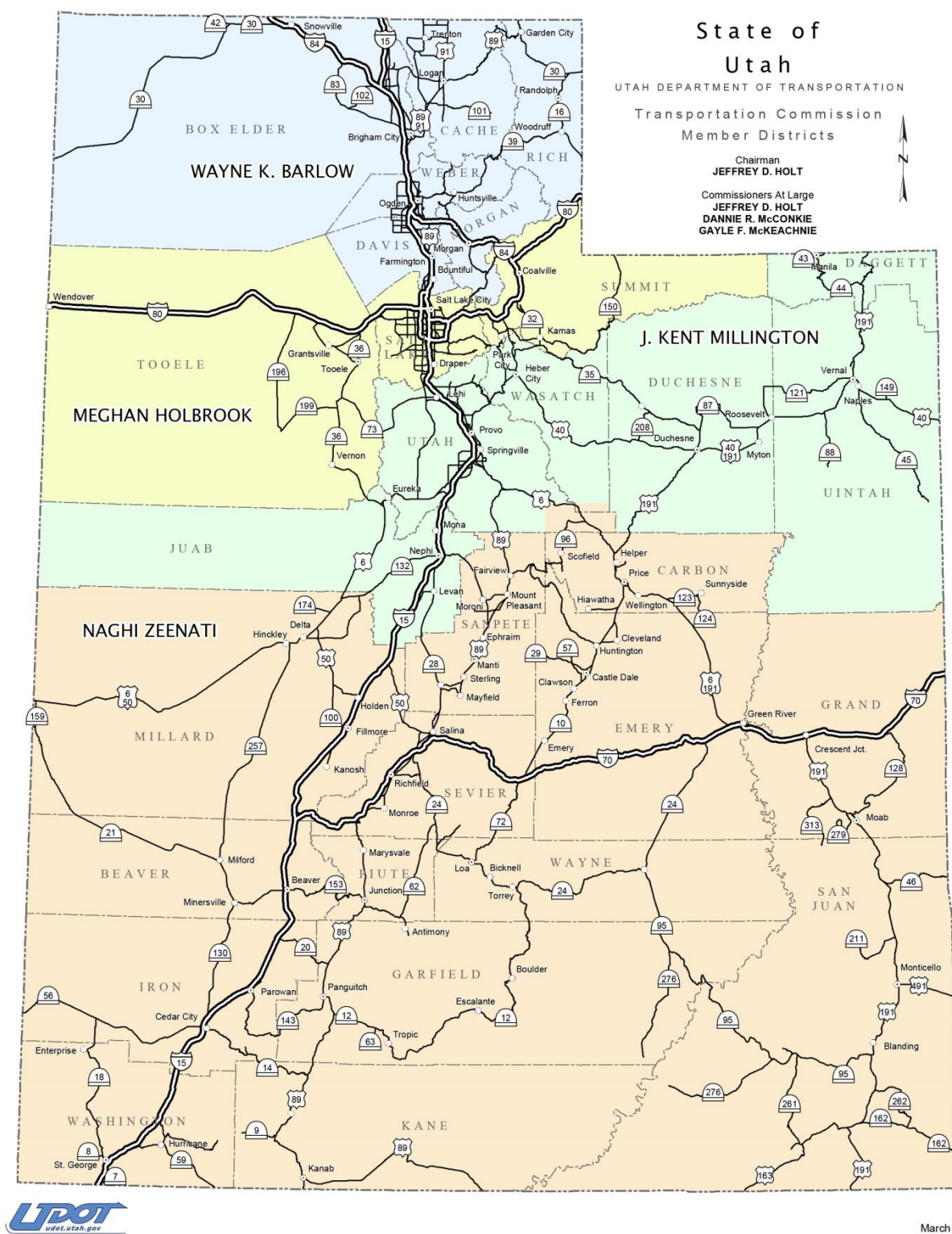


### 2.2 Utah Transportation Commission

Utah's transportation commissioners are appointed by the governor and serve as part of an independent advisory committee. In general, the Utah Transportation Commission prioritizes projects, decides how transportation funding is allocated, and gives final approval of projects. Relating to the PTT, the commission reviews and gives final approval of the funding for each project. Figure 2.2 shows the current commissioners and the regions they represent. See the following website for project prioritization and for updates to the member district map:  
<http://www.udot.utah.gov/main/uconowner.gf?n=4868503227088517>.



**Figure 2.2: Utah Transportation Commissioners and Regions**



Source: <http://www.udot.utah.gov/main/uconowner.gf?n=4868503227088517>



## 2.3 UDOT

UDOT is a state agency that plans, develops, and maintains the statewide transportation network in Utah. Pursuant to 49 USC 5301 et seq., UDOT is the designated recipient and the agency responsible for administering the Section 5304, 5310, 5311, 5316, 5317, 5329, and 5339 formula grant programs.

## 2.4 UDOT Program Development

The UDOT Program Development division supports UDOT's overall efforts through four major business areas, one of which is to identify transportation needs. Identifying transportation needs is conducted through the long-range planning process and forms the basis for development of the long-range transportation plan, pursuant to the statewide and metropolitan planning requirements. Organization charts for UDOT and the Program Development division can be found at the following website:

- UDOT Program Development: <http://www.udot.utah.gov/main/f?p=100:pg:::::V,T:53>

## 2.5 Regional Planning Agencies

Transportation planning is coordinated through Metropolitan Planning Organizations (MPOs) in urbanized areas, and Associations of Governments (AOGs) in non-urbanized areas, as described below.

### MPOs

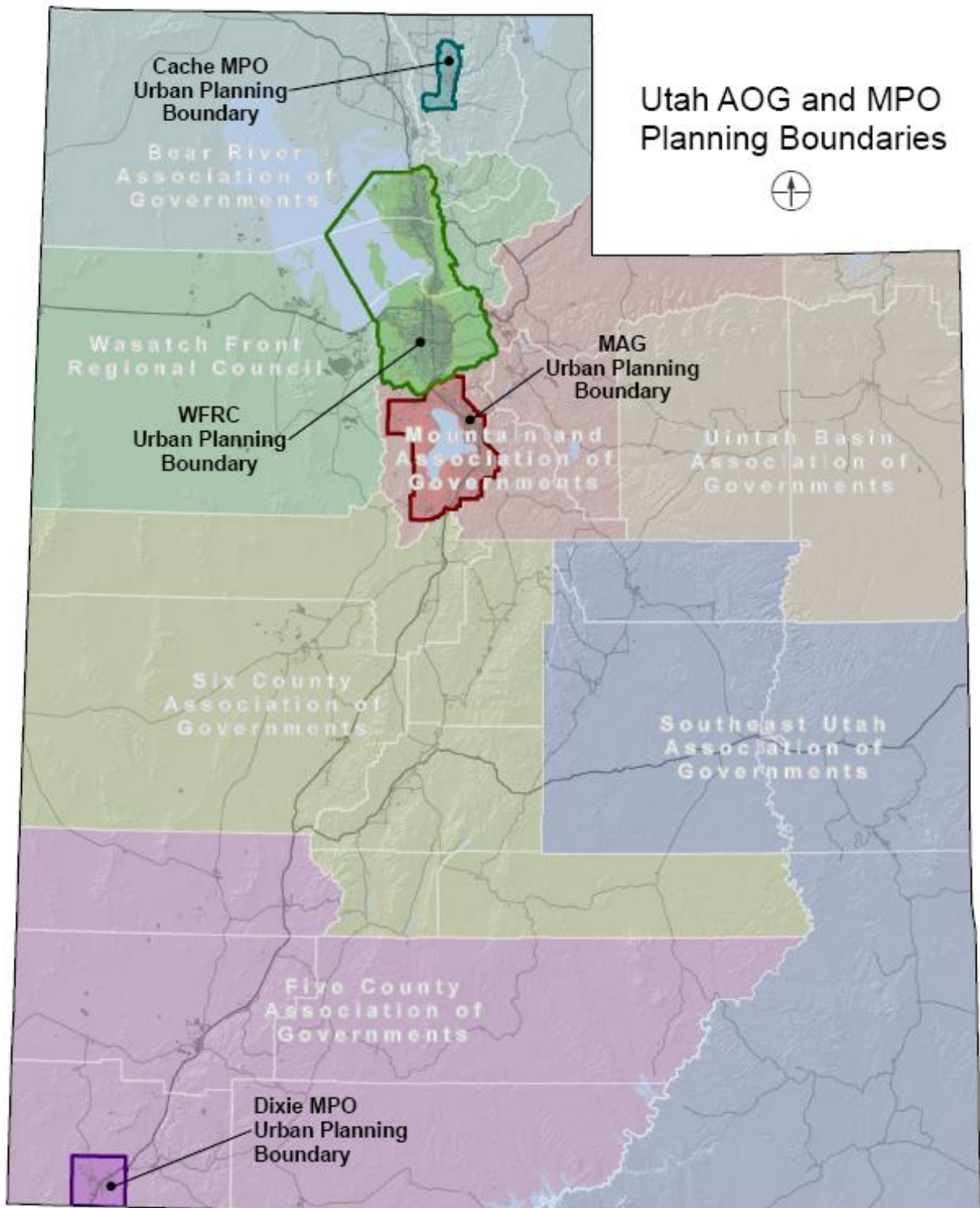
MPOs are agencies responsible for transportation planning in urbanized areas with populations greater than 50,000. Rather than focusing on each county's individual transportation issues, MPOs focus on improving transportation for an entire region. By doing so, they create a more efficient and effective transportation network. Pursuant to the statewide and metropolitan planning requirements, MPOs produce long-range transportation plans for all forms of travel including highways, transit, trucking, rail, and air quality in the areas they serve. There are four MPOs in Utah (see Figure 2.3):

- Cache MPO
- Mountainland Association of Governments (MAG)
- Wasatch Front Regional Council (WFRC)
- Dixie MPO

These MPOs are regulated by the Federal Highway Act of 1962 and funded through MAP-21. MAG and WFRC are also AOGs, which are described below.



Figure 2.3: Utah's AOGs and MPOs





### **Associations of Governments (AOG)**

AOGs combine two or more counties to better coordinate each county's plans and programs. They are established by the State of Utah to serve as multi-purpose organizations that utilize their combined resources to provide a more effective means for planning and development of the physical, economic, and human resources of the region. Utah is divided into seven AOGs that encompass the following the counties (see Figure 2.3):

- Bear River Association of Governments (BRAG): Box Elder, Cache, and Rich counties
- MAG: Summit, Utah, and Wasatch counties
- WFRC: Salt Lake, Davis, Weber, Morgan, and Tooele counties
- Uintah Basin Association of Governments (UBAOG): Daggett, Uintah, and Duchesne counties
- Six County Association of Governments (SCAOG): Juab, Millard, Piute, Sanpete, Sevier, and Wayne counties
- Southeastern Utah Association of Local Governments (SEUALG): Carbon, Emery, Grand, and San Juan counties
- Five County Association of Governments (FCAOG): Washington, Kane, Iron, Garfield, and Beaver counties

MAG and WFRC serve dual functions as MPOs and AOGs for their respective areas. AOGs are regulated by the Utah Inter-Local Cooperation Act of 1965. They are eligible for financial support through the State's Consolidated Planning Grant for local transit planning purposes.

### **Rural Planning Organizations (RPOs)**

Areas not considered urban are also represented in the realm of transportation planning. Like MPOs, RPOs coordinate transportation issues region wide; however, RPOs provide transportation planning for areas with populations less than 50,000 and are not federally designated. Much like the other programs, rural planning involves coordination and public involvement, planning, programming, and funding. RPOs serve as a rural consultation link between the states, local elected officials, and residents. RPOs help to fulfill the requirements mandated by Title 23 of the Code of Federal Regulations (CFR) Part 450 Subpart B — Statewide Transportation Planning and Programming 450.200 to 450.224. Utah currently has four RPOs:

- Wasatch County RPO: Formed in 2003, works with MAG
- Tooele County RPO: Formed in 2004, works with WFRC
- Box Elder RPO: Formed in 2008, works with WFRC
- Washington RPO: Formed in 2009, works with Dixie MPO

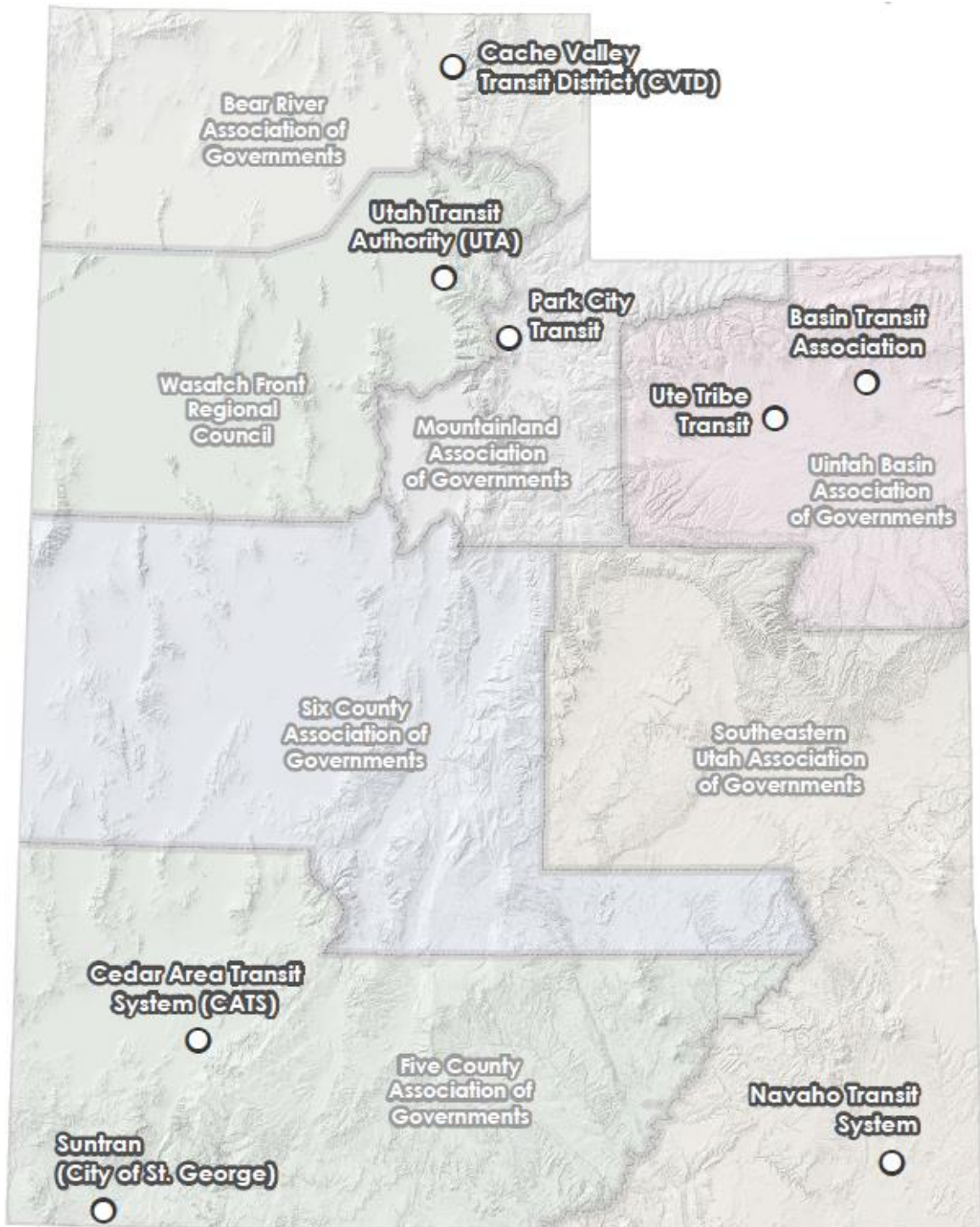


## 2.6 Regional Transit Entities

Utah currently has eight regional transit systems (see Figure 2.4):

- Cache Valley Transit District (CVTD): Provides fixed-route and paratransit service throughout Cache County and Lewiston, Idaho
- Utah Transit Authority (UTA): Provides myriad transit, paratransit, and ride-share services throughout Box Elder, Davis, Salt Lake, Tooele, Utah, and Weber counties
- Cedar Area Transportation System (CATS): Under Cedar City authority, provides fixed-route and paratransit service throughout the city
- SunTran: Under City of St. George authority, provides fixed-route and paratransit service throughout the city
- Park City Transit: Under Park City authority, provides fixed-route and paratransit service throughout Park City and surrounding areas within Summit County
- Basin Transit Association (BTA): Provides fixed-route service to Duchesne, Roosevelt, and Vernal
- Navajo Transit System: Provides fixed-route service throughout the Navajo Nation in Arizona, New Mexico, and Utah (including the Aneth, Blanding, Bluff, and Oljato communities in Utah)
- Ute Tribe Transit: Provides transit service throughout the Ute reservation

Figure 2.4: Regional Transit Systems in Utah





## **2.7 Tribal Governments**

Federally recognized Indian tribes may be subrecipients or may elect to apply to FTA as direct recipients. Five major tribes continue to inhabit Utah (see Figure 2.5):

- Ute (Uintah and Ouray)
- Navajo (Dine')
- Paiute
- Shoshone
- Confederated Tribes of Goshute
- Northwestern Band of Shoshone
- Skull Valley Goshutes
- Ute Mountain Ute (White Mesa)

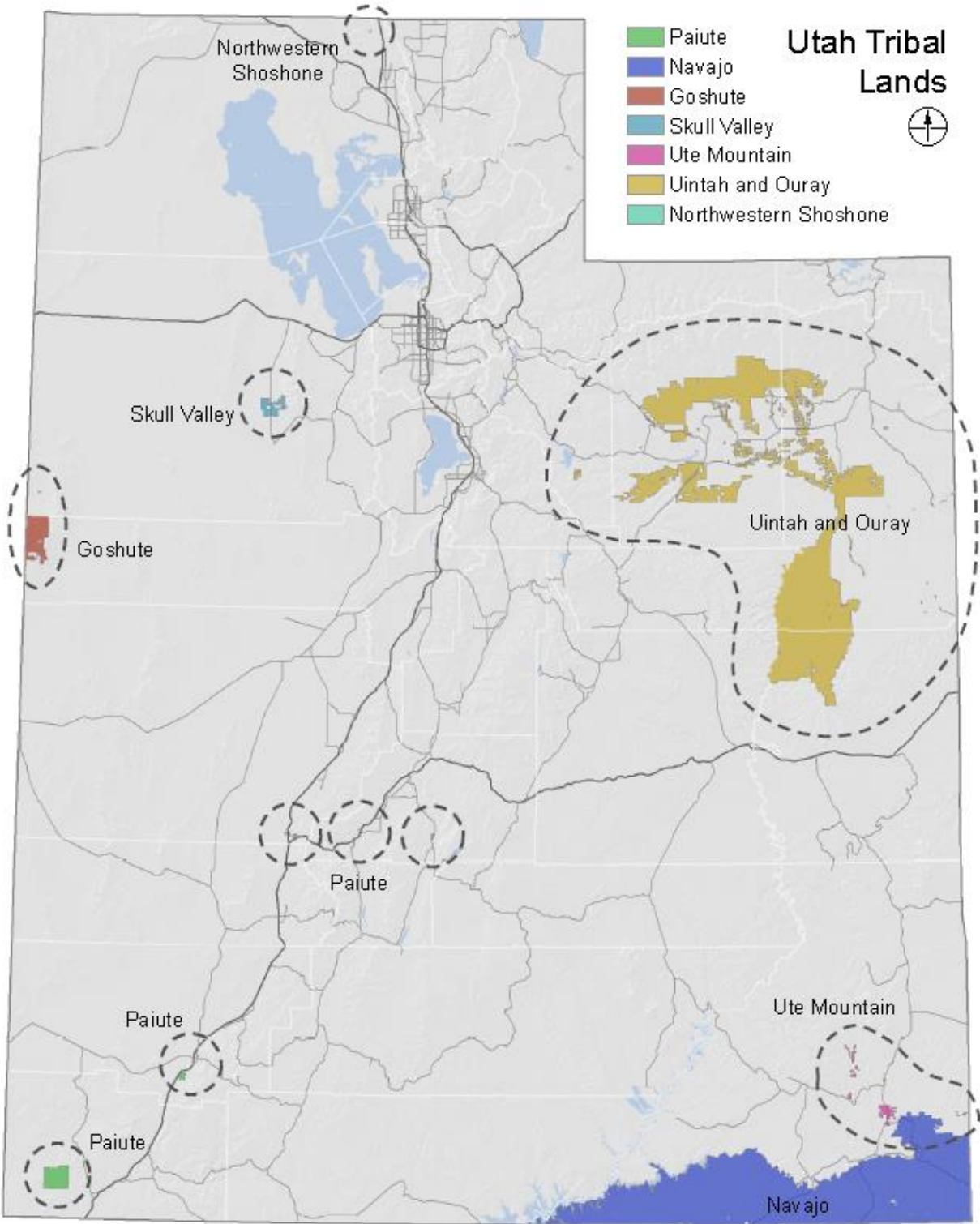
Tribal transportation funding and programs come from a variety of federal and state sources. The following programs are recognized:

- Federal-aid Highway Program
- Indian Reservation Roads Program
- Tribal Transit Grant Program
- Tribal Technical Assistance Program





Figure 2.5: Utah Tribal Lands





## 2.8 Mobility Management

Utilizing funds from the Section 5310, 5311, 5316, and 5317 programs, the PTT funds mobility managers in the AOGs around the state. Mobility managers coordinate with human service providers and other entities within their region to identify transportation efficiencies to improve mobility for individuals with disabilities, seniors, and low-income individuals. Mobility management is an approach to service development and management that focuses on individualized customer markets and involves a variety of services tailored to meet the needs of those markets. Activities eligible for the program are listed in Chapter 5. While needs may vary, the following characteristics distinguish mobility management from traditional transit service development:

- **Disaggregated rather than aggregated service planning:** Traditional transit service planning involves traffic flow analyses, origin and destination studies, and travel corridor planning (especially high-capital intensive investment planning). Under the mobility management concept, the transit agency disaggregates markets, seeks to understand the individualized needs of those markets, and designs service strategies to effectively meet those needs.
- **Service diversity rather than service uniformity:** Most transit systems are built on a principle of unified regional service coverage. A grid of interconnected fixed routes covers the region. Mobility management involves the development of a network of multiple services to serve a wide variety needs.
- **Multiple rather than a single provider:** Most transit systems have a single transit operator that directly delivers all service. Under the mobility management arrangement, agencies look to broker service to the most efficient and effective provider. The result is a network of diverse providers rather than a single transit system.
- **Service advocate rather than service provider:** Agencies generally focus on the direct provision of service delivery. Under mobility management, mobility managers may be advocates for improved traffic management practices, transportation regulatory reform, more responsive infrastructure design, and/or complementary land use policies that support effective public transportation delivery and public mobility.
- **Agency vehicle coordination and sharing:** Agencies typically procure and utilize a vehicle to serve their own clients, oftentimes resulting in redundant routes and increased vehicle needs. Mobility management involves the identification of routes and areas served by multiple agencies and seeks to coordinate shared services to reduce costs and capital needs.

## 2.9 Public Transit Team (PTT)

The PTT is the unit within the UDOT Program Development division responsible for administrating and managing the Section 5304, 5310, 5311, 5316, 5317, 5329, and 5339 formula grant programs. The PTT also administers the Section 5304 Statewide Planning Program that is part of the Consolidated Planning Grant transferred from FTA to the Federal Highway Administration (FHWA). The PTT is responsible for developing and maintaining the SMP; ensuring the fair and equitable



distribution of federal funds within the state; announcing the program and availability of funds; developing a process to solicit, review, and approve eligible funding sources; providing management and technical assistance to applicants and grantees; administering and monitoring contracts; and ensuring compliance with federal requirements by all subrecipients. The PTT functions with support from the following UDOT departments: Civil Rights, Procurement, Consultant Services, Legal, and the Comptroller's Office.

The PTT unit includes the staff positions described below. Contact information for PTT staff can be found on the PTT website at: [www.udot.utah.gov/publictransit](http://www.udot.utah.gov/publictransit).

### **PTT Public Transit Program Director**

Acting on behalf of the UDOT Executive Director, the PTT Public Transit Program Director (PTT Director) oversees the day-to-day functions of the PTT and is responsible for ensuring that the PTT has the capacity to adequately administer the FTA grants for which it is responsible. In general terms, the PTT Director oversees the staff's grant program management and compliance with federal requirements.

The PTT Director is ultimately responsible for the following tasks:

- Developing the SMP for all FTA programs
- Developing and maintaining agreements with subrecipients
- Ensuring all statewide planning requirements are met
- Providing technical assistance on federal and state requirements provided to subrecipients
- Ensuring annual Certifications and Assurances are pinned by the proper authority
- Complying with FTA financial management requirements
- Establishing the annual PTT budget
- Conducting annual performance reviews of PTT staff

### **PTT Program Manager(s)**

PTT Program Managers oversee the grant management process for their respective formula grant program(s) and report directly to the PTT Director. Program Managers assist the PTT Director with tasks as directed and are directly responsible for the following tasks:

- Developing POPs
- Applying to FTA for funding
- Negotiating and formulating agreements with subrecipients
- Reviewing subrecipient procurement methods
- Managing ongoing internal procurement(s)
- Providing agreement-specific technical assistance to subrecipients
- Receiving and reviewing performance measures and milestone reports
- Reviewing invoices
- Closing out agreements and projects





- Coordinating with the PTT Compliance Officer to ensure report accuracy

### **PTT Compliance Officer**

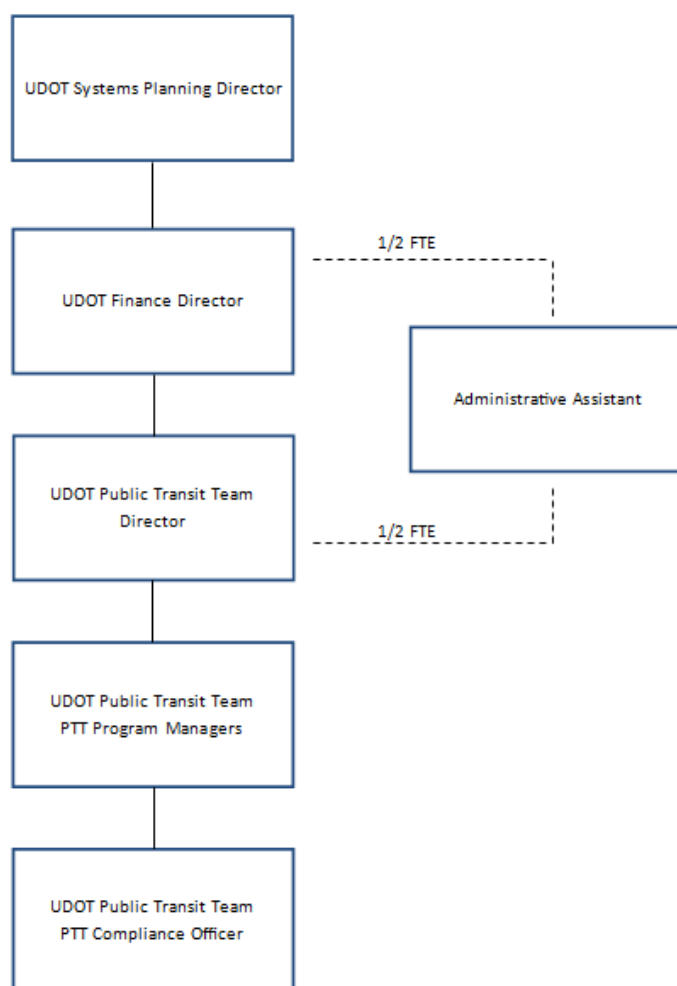
The PTT Compliance Officer provides compliance oversight for the entire program and reports directly to the PTT Director. The Compliance Officer provides support to the PTT Director and Program Managers on compliance-related questions and issues and is directly responsible for the following tasks:

- Performing biennial on-site compliance reviews of subrecipients
- Providing ongoing compliance and internal report monitoring
- Receiving and reviewing reports
- Coordinating with the PTT Program Managers to ensure report accuracy
- Developing and updating compliance manuals and forms
- Reviewing the SMP
- Providing compliance-related technical assistance

**Figure 2.6 PTT Organization Chart**



## Public Transit Team Organization Chart



## CHAPTER 3. PROGRAM POLICIES AND PROCEDURES

The state must be able to use sound management practices to manage the FTA-funded programs in accordance with the grant application, FTA Master Agreement, and all applicable laws and regulations.

FTA gives each state the maximum discretion permitted by law in designing and managing the programs to meet passenger needs under FTA programs. The state develops program standards, criteria, procedures, and policies for the FTA programs. This chapter addresses the PTT's management and administrative policies and procedures.

### 3.1 Project Development and Approval



### **Required Coordination for the 5304 and 5310 Programs**

Both the 5304 and 5310 programs require coordination and development of a local plan. The 5310 program requires projects to be identified in a coordinated public transit-human services transportation plan (coordinated plan) developed by a lead local agency (UDOT has designated AOGs as the local planning agency). UDOT's role in the coordinated planning process is to ensure that FTA coordination requirements are met and that adequate technical assistance is provided, when requested. To meet the planning requirements of both programs, the locally developed coordinated plan should incorporate the following elements:

- A stakeholder committee that is representative of targeted populations and transportation providers in the region
- List of all human service providers in the region
- Public participation in the coordinated plan
- An inventory of existing vehicles within the region (including non-FTA funded)
- An assessment of available services that identifies current transportation providers (public, private, and non-profit)
- An assessment of transportation needs for individuals with disabilities and seniors
- Strategies and activities and/or projects to address existing service and identify gaps/needs in service
- Project prioritization/selection process and criteria
- Priorities for implementation (i.e., a list of projects and activities, feasibility, year, etc.)

The process for adoption of the coordinated plan is determined by the lead local agency with input from the coordinated plan development participants. The PTT requires that the local adoption process involve coordinated plan development participants. The PTT plays no other role in the local adoption process.

The PTT provides guidance to the lead local agency on the minimum requirements of the coordinated plan process to ensure projects are eligible for FTA program funding. Only projects that address needs identified in local coordinated plans are eligible for funding through the Section 5310 program. Though encouraged to do so, 5311 and 5339 projects are not required to be part of the coordinated plan. They do, however, need to be part of the state STIP and long range plan.

Multiple forms of coordination are related to the project development process, which is outlined below. The PTT will host pre-application and planning workshops upon request. At the beginning of each annual PTT project development and grant-making cycle, the PTT may host a regional workshop for potential subrecipients (see Appendix A of this document). The objective of a workshop is to:

- Build on the momentum of recent coordination planning efforts
- Bring potential applicants together to collaborate on their respective applications for FTA funding



- Create additional opportunities for coordination to be integrated into new applications for FTA funding
- Collaboratively review the outcome of recent coordination planning efforts with potential applicants, including a review of the needs, strategies, and priorities identified at the local level
- Ensure subrecipients are aware of and meet all Title VI/Civil Rights requirements
- Enhance the seamlessness of the transition from the coordination planning process to the annual PTT project development and grant-making process

The PTT includes clauses in subrecipient agreements that require vehicle use to follow the SMP, which allows other eligible agencies to use subrecipient vehicles during designated non-use periods. In addition, the PTT has established selection criteria that favor projects with a high degree of coordination.

### **Section 5311 and 5339 PTT Provider Coordination**

The PTT requires that all fixed-route providers have an adopted capital improvement plan identifying capital projects, approximate costs, and the year of implementation. The PTT will hold a meeting with the providers annually to review the list of priorities, ensure that all parties are in agreement with the funding schedule, and approve projects to be on the STIP.

### **Project Development Process**

As a pass-through of FTA funds, the PTT manages a multi-step process that ranges from the announcement of funds to contracting with subrecipients. This process includes the following steps, which are described in detail below:

1. Announcement of funds
2. Applicant letter of intent (LOI)
3. Application process
4. Project award
5. Development of a Program of Projects (See Appendix B)
6. Contract agreements

### **Announcement of Funds**

The grants administered by the PTT follow an annual funding cycle. This cycle is subject to change depending upon the timing of apportionments, new transportation bills, and other items beyond the control of the PTT. Each year's funding cycle begins with a project development process that is initiated by an announcement of the availability of FTA funds. This announcement is sent to each agency listed in the PTT's database of transportation providers, non-profit organizations, and local government agencies. The announcement is also posted on the UDOT website and posted as legal notices in local newspapers. Upon request from agencies and before the announcement of funds, the PTT invites all interested agencies to attend planning workshops that are conducted in each of the state's AOGs. These workshops offer an opportunity for the PTT to interact with potential subrecipients, answer any questions regarding the grant programs, and offer training in other



topics. The workshops also serve as an opportunity for improved coordination among proposed projects.

The 5311 and 5339 application schedule is similar to the 5310 schedule (see Tables 3.1 and 3.2). However, 5311 and 5339 projects are not considered competitive, and an AOG review and ranking is not necessary. The PTT works directly with the providers to review capital and operating needs and to determine the year in which projects will be identified on the STIP.

**Table 3.1: UDOT PTT 5310 Application Review Schedule\***

Beginning	Ending	Task	# of Days to Complete
Sept. 1		Announcement of funds	-
Sept 1	Oct 1	Agencies complete LOI to apply in PTT Online	30 days
Oct 1	Oct 15	PTT reviews LOIs	14 days
Oct 15	Nov 15	Agencies complete applications in PTT Online	30 days
Nov 15	Dec 1	PTT works with applicants and reviews applications	15 days
Dec 1	Jan 15	AOGs review applications and prioritize	45 days
Jan 15	Feb 15	PTT scores and prioritizes applications	30 days
Feb 15	Mar 1	UDOT Program Development prioritizes projects; PTT awards project funds	14 days
Mar 1	*	Utah Transportation Commission meeting for draft STIP approval	*

*\*Note: These dates are subject to change based on holidays, weekends, etc.*

**Table 3.2: UDOT PTT 5311 and 5339 Application Review Schedule\***

Beginning	Ending	Task	# of Days to Complete
Sept 1		Announcement of funds	-
Sept 1	Oct 1	Agencies complete LOI to apply in PTT Online	30 days
Oct 1	Oct 15	PTT reviews LOIs	14 days
Oct 15	Nov 15	Agencies complete applications in PTT Online	30 days
Nov 15	Dec 1	PTT works with applicants and reviews applications	15 days
Dec 1	Jan 15	PTT and agencies review STIP	45 days
Jan 15	Feb 1	PTT reviews budget and approves projects	14 days
Mar 1	*	Utah Transportation Commission meeting for draft STIP approval	*

*\*Note: These dates are subject to change based on holidays, weekends, etc.*

### Request for LOI

The LOI request is the official kickoff of the application process. An LOI to apply for funding is required by all applicants to announce the agency's interest in applying for funds and to assist in screening eligible applicants. LOIs are submitted via the PTT Online system and can be accessed via



existing subrecipient PTT Online accounts or at:

<http://www.udot.utah.gov/main/f?p=100:pg:0:::1:T,V:3269>. The purpose of the LOI is to review a basic project description prior to the application process to ensure that it is potentially eligible for funding. Those interested are invited to visit PTT Online to submit their letter. Key steps involving the LOI include the following:

- PTT announces timeline for entire application process
  - Send announcement to mobility managers and current and possible subrecipients around the state (utilizing PTT Online database)
- September 1 – LOI public notification (not limited to the following)
  - Send to newspapers
  - Post on the website
  - Distribute to e-mail list
  - Other means, as deemed necessary
- 30-day response period (ending November 1)
- PTT closes LOI submittal page on PTT Online
- 14-day LOI review and approval process
  - Review all LOIs and approve to begin the application process or send back for revisions
- The PTT approves the eligible project and agency for the online application process
- Program Manager sends the Designation of Signature Authority request (if not already in the system or if a subrecipient wants to change signature authority)
- Subrecipient submits the letter with the approved signatory designation
- Program Manager generates a PIN in PTT Online to be utilized as the application signature
- Program Manager sends e-mail with username, password, and link to PTT Online

### **Application Process**

Each applicant that successfully completes the LOI and passes the initial threshold criteria is provided instructions on how to obtain and complete an application. Applicants are advised to contact the PTT should they require additional information or direction to properly complete the application. PTT staff provide on-site training and/or assistance by phone upon request. To be eligible for funding and applications, agencies must have a PTT-approved Title VI plan. See Section 4.2 of this document for Title VI requirements and more details.

Following the application deadline, the PTT conducts a competitive selection process to determine which projects are to be chosen for financial assistance. Funding line items are incorporated into the TIP or STIP, as applicable. In urban areas with populations of 50,000 or more, projects are included in the TIP. In non-urbanized areas with populations less than 50,000, projects are included in the STIP. In areas where the coordinated plan or competitive selection process is not completed in a time frame that coincides with the development of the TIP/STIP, the TIP/STIP amendment process is used to include competitively selected projects in the TIP/STIP before the FTA grant award. Project approval is finalized when the Utah Transportation Commission reviews and



approves the STIP and FTA accepts the commission's approval. The application process includes the following key points:

- The application page on PTT Online is open for approximately 30 days.
- The Project Manager reviews for completeness, accuracy, and eligibility.
  - Applications lacking these qualities are sent back for clarification or revisions.
- The following PTT guidance is allowed:
  - If application is incomplete or project is not eligible, the PTT sends the application back to applicant and explains the reasoning for the decision.
  - The PTT may assist in fixing inconsistencies in information provided, i.e., clarifying information.
  - The PTT does not help with project development or the quality of an application.

### **Application Review Process**

The PTT has established a competitive selection process for selecting projects and distributing funds among applicants applying for Section 5310, 5316, and 5317 programs (see Chapter 5 of this document). Note that MAP-21 combined elements of Section 5316 with Section 5311, and combined elements of Section 5317 with Section 5310. Funding for fiscal year (FY) 2013 and beyond will not include Sections 5316 and 5317. The competitive selection process is divided into four sequential steps (UDOT will complete an eligibility checklist as applications are reviewed – See Appendix C) :

1. **Threshold Criteria:** Threshold criteria are minimum requirements all applicants must meet to be considered for funding:
  - a. Applicants must submit complete applications on time.
  - b. Applicants must be eligible subrecipients for the grant program under which funds are requested.
  - c. Applicants must document that the local cash match will be available (in-kind is not accepted).
  - d. The application must include an eligible service and be covered under one of the eligible assistance categories.
  - e. For applicants seeking funding from the Section 5310 program it must be demonstrated that the project is included in the appropriate locally developed coordinated human service transportation plan.
  - f. Applicants must have a PTT-approved Title VI plan. If the applicant does not have an adopted plan, the project will not be eligible for funding.
2. **Regional Review:** The PTT forwards eligible applications to the respective regional planning agency for prioritization. Projects that serve multiple regions are reviewed by each region served. The review process and criteria used for review are determined by each individual region and advertised through public notices. The region evaluates all of the applications and forwards them to the PTT.



3. PTT Review: After receiving evaluations from each region, the PTT conducts its own evaluation and review based on established criteria. The resulting weighted scores are summed to produce a final score for each application. Applications are evaluated by the PTT Program Managers, Compliance Officer, and Director, and final proposed awards are prepared for commission approval. Evaluation criteria are summarized in Table 3.3
4. The Utah Transportation Commission approves final funding awards. The PTT publishes a list of selected projects following the competitive selection process (posted on the UDOT PTT website at: [www.udot.utah.gov/publictransit](http://www.udot.utah.gov/publictransit)).

**Table 3.3: Evaluation Criteria for Section 5310**

<b>Thoroughness of application</b>
<b>Ability to manage the entire program (includes financial, technical, etc.)</b>
<b>Region ranking</b>
<b>Statewide ranking</b>
<b>Past compliance with program requirements (e.g. vehicle usage)</b>

The competitive selection process varies slightly for Section 5311(f), Intercity Bus. As demand and funding allow, the PTT works with the UDOT Procurement office to administer a request for proposals (RFP) and to select an operator best suited for the specific route(s).

The PTT has adopted policies and procedures to ensure that the competitive selection process is conducted in an open and transparent manner, resulting in a fair and equitable distribution of funds among agencies across the state, including tribal governments and other entities servicing Native Americans. This does not mean that the selection process will result in an equal allocation of resources among projects or communities. Instead, equitable distribution refers to equal access to, and equal treatment by, a fair and open competitive selection process. The following tasks are completed as part of the competitive selection process:

- Section 5310 applications are prioritized at the local AOG/MPO level, then sent to UDOT for final scoring and prioritization.
- UDOT provides final weighting and scoring (and posts scoring criteria with weighting on the PTT website), including the following:
  - Ensures AOG/MPO process is included in the weighting.
  - Ensures score sheet is prepared and includes proposed list of projects.
  - Completes business entity search to confirm 501 (c)(3) status:
    - <https://secure.utah.gov/bes/>
    - Updates status annually
    - If not yet complete, has business complete immediately
    - If it remains incomplete, grant is not approved
  - Documents that the subrecipient is not on the U.S. General Services Administration Debarment and Suspension list:
    - [www.sam.gov](http://www.sam.gov)





## **Awarding/Obligating Funds**

- The Utah Transportation Commission approves recommended program of projects as part of the draft STIP in April, which is then sent to FTA in August for review and approval.
- Upon the commission's approval of the draft STIP, award letters are sent to successful applicants.
- Once funding is appropriated for the year, the PTT Program Manager completes the following:
  - Negotiates project budget with the subrecipient.
  - Reviews PTT subrecipient requirements with recipient.
  - Identifies scope and activity line items.
  - Prepares a narrative for each scope and activity line item.
  - Prepares a summary of each agency project.
  - Creates the POP.
  - Enters FTA funding application into FTA's web-based grant management system:
    - Once the application is entered into FTA's web-based system, the Program Manager attaches all relevant documents (those listed above), creates a PDF, and saves it to the server.
    - FTA reviews and approves the submittal (which may take up to 60 to 90 days).
    - The PTT Director "PINs" the approved grant (i.e., generates a PIN that operates as a signature).

## **Annual POP**

The POP identifies the subrecipients and projects for which UDOT is applying to FTA for financial assistance. The POP must be identical to, or consistent with, listings contained in the STIP and TIP. The POP submitted to FTA for approval includes the following:

- List of the subrecipients (identify if they are governmental authorities, private non-profit agencies, private providers of transportation services, or Indian tribal governments)
- Brief description of each project
- The page number in the coordinated plan referencing the specific project (5310 program only)
- Total project cost, federal and local shares
- Indication of whether a project is a capital or operating expense
- Identification of which projects meet the 55 percent minimum for traditional 5310 funds (5310 program only)

This section describes the PTT's process and timetable for soliciting, reviewing, and approving applications for local projects to be included in the POP.

## **Contract Agreement Execution**

Before a contract agreement is executed, the PTT holds a mandatory meeting with the subrecipient to address questions and discuss the contract agreement. (Refer to the Contract Agreements discussion below.) After this meeting, the following process is followed:



- The subrecipient (identified signatory) signs three (3) original (i.e., not copied) contracts.
- The subrecipient returns the contracts to the PTT Project Manager and PTT Director.
- The PTT Director reviews and signs the contracts.
- Copies are taken to the Director of Program Development for approval and signature.
- The PTT Director takes the copies to the Comptroller's Office for UDOT Attorney and Financial signatures.
  - The contract number and date of execution are assigned.
- One (1) copy of the original contract is filed in the Comptroller's Office.
- Two (2) original copies are returned to the PTT Director:
  - One (1) original copy is filed.
  - One (1) original copy is mailed to the subrecipient.
  - One (1) scanned copy is saved on the UDOT 'T' drive and in PTT Online.

1)

### **Applying for Previous Year(s) Funding**

- If funding from previous years is not fully allocated, the PTT makes these funds available to agencies that applied for those funds but were not awarded them during the first review process. An agency must be in good standing with the PTT, without compliance issues, to be eligible for funds.
- The funds are made available to the agencies in order of their prioritization from the first review process.
- If the first agency refuses funds, the agency with the next highest application prioritization is offered the funds. This process continues until all funds are awarded.
- Any project awards made outside of the annual application cycle totaling more than \$500,000 must go back to the Utah Transportation Commission for approval.

### **Contract Agreements**

The PTT requires written agreements between subrecipients and UDOT. These agreements include all required federal clauses and certifications either incorporated in their entirety or by reference.

State procurement policy prohibits the use of pre-award authority.

The PTT has developed contract agreement boilerplates to be used as the starting point for agreements with subrecipients. Each formula grant section has a boilerplate tailored to the PTT's eligible activities. The boilerplates are not specific to the procurement type or project amount; however, it is not PTT policy to apply federal requirements when not required. Federal clauses that do not apply to specific projects because of the procurement type, project activity, or project amount do not apply to the project, even though they are included in the agreement. For example, a project totaling less than \$100,000 is not subject to Buy America. Although the clause is included in the boilerplate and agreement, it does not apply to the project and the subrecipient may disregard those requirements.



Prior to agreement signing, the PTT requires a mandatory meeting with the subrecipient, PTT Program Manager, and PTT Compliance Officer. The meeting may be waived by the PTT if in agreement with the subrecipient, and if the subrecipient has demonstrated adequate managerial, technical, and financial capacity on past FTA-funded projects. The purpose of the meeting is to address any subrecipient questions and review PTT's expectations, policies, and procedures. Discussion topics include, but are not limited to, the following:

- Subrecipient questions pertaining to the project
- Reporting requirements
- Procurement requirements
- Grant administration
- Project management
- Financial management
- Asset management
- Civil Rights/Title VI
- Equal Employment Opportunity (EEO)
- Disadvantaged Business Enterprise (DBE)
- Americans with Disabilities Act (ADA)
- Drugs and alcohol
- Additional federal and state requirements

### **PTT Online**

The PTT has developed and maintains a web-based program called PTT Online. PTT Online is a program management tool that allows user data input; stores, sorts, and reports data; and facilitates the grant process. The PTT uses PTT Online for various functions, including:

- Maintaining a database of all active subrecipients, including their contact information, transit vehicles, legal designees, and agency details
- Providing a remote reporting platform into which subrecipients can enter report information such as vehicle usage, inspections, accidents, and maintenance; National Transit Database (NTD) information; and annual report (financial reports) information
- Managing assets, including tracking the usage of vehicles, current liens, vehicle disposal, performance measures, and maintenance
- Receiving and reviewing LOIs and grant applications
- Tracking the status of individual projects/contracts and overall grants
- Tracking invoices for reimbursement from subrecipients
- Distributing surveys
- Tracking on-site compliance visits
- Generating user-defined reports that facilitate quick or detailed reviews of contracts or grants



PTT Online is a secure site that requires a PTT-provided username and password. Each agency contracting with PTT will assign a lead contact and designated users from their agency. Each user can be assigned unique and revisable access rights depending on their role and needs. Subrecipients should contact the applicable Program Manager to obtain access to PTT Online.

### **Program Complaint Procedures**

Complaints regarding ADA compliance, civil rights violations, Title VI, project selection, or other grievances may be filed at the local, state, or FTA level. Complaints are first filed at the lowest level and are subsequently filed at higher levels only if the complaints are not resolved, as described below.

UDOT has developed and maintains a list of any active investigations conducted by entities other than FTA, lawsuits, or complaints naming the recipient and/or subrecipients that allege discrimination on the basis of race, color, or national origin. The list includes the date of the investigation, lawsuit, or when the complaint was filed; a summary of the allegation(s); the status of the investigation, lawsuit, or complaint; and actions taken by the recipient or subrecipient in response to the investigation. UDOT maintains copies of ADA complaints for 5-years.

### **Local Complaint Procedures**

The PTT requires subrecipients to have an appeals process to handle complaints from private non-profit and/or for-profit organizations. The PTT requires all subrecipients to have complaint procedures in place that incorporate due process, including the following:

- A detailed, written description of the procedures for filing a complaint
- Prompt and equitable resolution
- An opportunity for the complainant to provide additional information
- Notification to complainant of whom to contact regarding the status of the complaint
- An appeal procedure

### **State Complaint Procedures**

Complaints not resolved at the local level and complaints against the state are filed at the UDOT Civil Rights office. Complaints submitted to the UDOT must be in writing, detail the exact nature of the complaint, and be accompanied by sufficient evidence to enable the UDOT to make a preliminary determination as to whether probable cause exists to believe that a violation has taken place. The UDOT may undertake any investigation process that may be deemed necessary. No more than 30 days are allowed for a response to the validated complaint. If further action is desired by the complainant, the FTA procedure may be followed. Complaints are sent to:

Utah Department of Transportation  
Civil Rights Office  
4501 South 2700 West  
P.O. Box 141520



Salt Lake City, UT 84114-1520

### **FTA Complaint Procedures**

Complaints not resolved at the state level are filed with the FTA Region VIII Administrator. All complaints submitted to FTA must be in writing, specify in detail the action claimed to violate the agreement, and be accompanied by evidence sufficient to enable the administrator to make a preliminary determination as to whether probable cause exists to believe that violation of the agreement has taken place. Complaints are sent to:

FTA Region VIII Administrator  
12300 West Dakota Avenue  
Suite 310  
Lakewood, CO 80228-2583

## **3.2 Grant Administration**

The state is awarded formula grant dollars for the transit programs that UDOT manages. Those grant dollars are in turn awarded to subrecipients by way of awarded projects.

FTA typically sends notification of program funds in the fall of each year. In addition, FTA sends each state the FY annual list of Certifications and Assurances and Master Agreement. By signing/pinning the Certifications and Assurances, the PTT signifies the intent to comply with all applicable provisions, acting as a contract between FTA and the state. In addition, each subrecipient, by signing their individual contracts with UDOT, agrees to comply with the annual list of Certifications and Assurances as well. Steps to this process include:

1. FTA sends the PTT Director a copy of the Master Agreement and Certifications and Assurances via e-mail.
2. The PTT Director, on behalf of the UDOT Executive Director, and UDOT Attorney are required to sign the FTA Certifications and Assurances.
3. Once signed, the PTT Director must access the FTA web-based system and PIN (operates as a signature) that UDOT has read and agrees to comply with all Certifications and Assurances.

To obtain a PIN, the UDOT Executive Director must sign a Designation of Signatory indicating that the PTT Director has the right to sign on for access to the web-based system, and PIN on behalf of UDOT. Once FTA receives this letter, a PIN will be generated and sent to the signatory.

### **FTA Web Application – TEAM/TrAMS**

Similar to PTT Online, TEAM /TrAMS (TrAMS to be released October 2015) is FTA's online application and reporting system. Grantees are required to utilize the TEAM system to acquire funds and report on projects. FTA offers web trainings and has published a user guide at:



<http://ftateamweb.fta.dot.gov/static/userguide.html>. Like any software, updates and changes are ongoing. Be aware of any notifications sent by FTA regarding TEAM modifications.

FTA is scheduled to release TrAMS (Transit Award Management System) in 2015. TrAMS will replace TEAM as the online application and reporting system. Once the system is successfully launched, the PTT will update the SMP to outline the new TrAMS procedures.

### **TEAM Grant Cycle**

The TEAM Grant cycle is described in detail below, and includes the following key tasks:

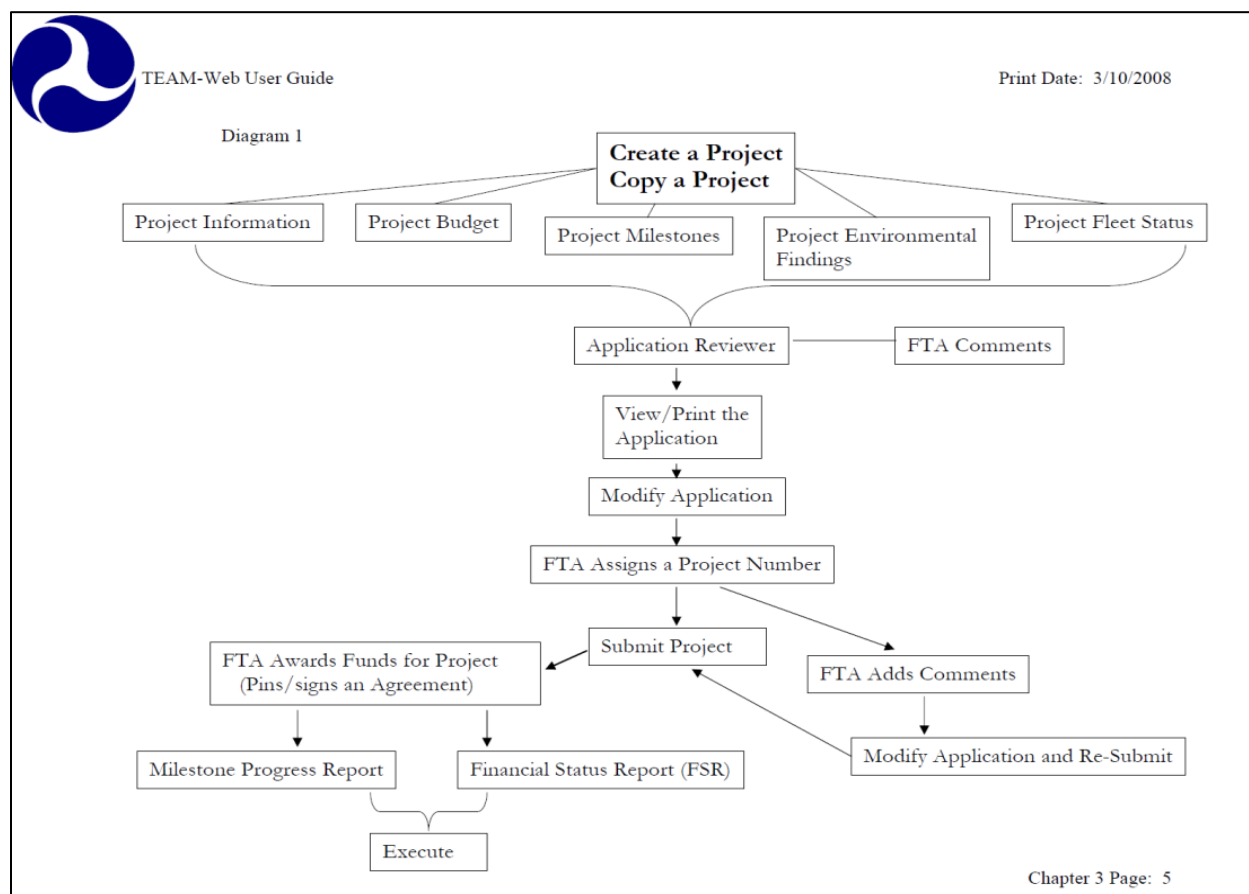
- Creation of a grant application and approval
- Grant management
- Grant closeout

#### **Grant Application Creation**

Once the PTT receives notice that grant funds are available, TEAM is open to accept applications for those appropriated funds. To do so, the PTT must do the following (see Figure 3.1):

- Each Program Manager must create a POP for those funds. A POP consists of the list of projects and the exact dollar amounts awarded to each project. The dollar amounts must total the exact amount appropriated to the state.
- The Program Manager uploads the POP into TEAM. The POP identifies the subrecipients and describes the projects for which they are applying for within the grant. TEAM requires a detailed scope, activity line items, environmental requirements, etc.
- After uploading the POP, the Program Manager does not officially complete the submittal. Instead, the Program Manager saves and notifies FTA Region VIII State and Tribal Coordinator the project(s) is ready for review.
- FTA completes a thorough review of each project including:
  - Project information (program, costs, contact info, etc.)
  - Budget (detailed tasks and costs)
  - Milestones (schedule of deliverables)
  - Environmental findings (required classification)
  - Fleet status (for transit agencies)
  - Attachments (POP, etc.)
- FTA Region VIII notifies the PTT Director when to submit the grant. Once FTA approves, the PTT Director will PIN the grant—projects are then ready for contracts.

**Figure 3.1: Grant Setup in TEAM**



### FTA Project Management

In October of each year, FTA requires a detailed status report of each open grant and, if needed, a modification of the project. With the exception of closing a grant, updates to projects can be completed at any time. The following reports are required (listed with the responsible party):

- Progress Report:
  - Schedule (milestones/progress) – Program Manager
  - Financial progress (status report) – UDOT Comptroller’s Office
- Modify Project:
  - Schedule (milestones/progress) – Program Manager
  - Activities (revise project budget) – Program Manager
  - Scope and budget (create amendment) – Program Manager

### FTA Project Closeout

After the last invoice is received, the PTT Director has the Comptroller complete a final draw. A final milestone is entered into the FTA web-based system and the State and Tribal Coordinator is notified by e-mail that the grant is complete and needs to be closed.



### **3.3 Financial Management**

This section describes the management of FTA funds in detail. The PTT, in conjunction with the UDOT Comptroller's Office, accounts for federal grant funds using its own financial management systems authorized by state law and procedure. Fiscal controls and accounting procedures used by the state and its grant recipients permit the preparation of financial management reports required by both the Common Rule and the grant authorization statute, and permit the tracing of funds to a level of expenditure that demonstrates whether funds are being spent in compliance with applicable statutes and other grant requirements.

The PTT is responsible for ensuring that its subrecipients have an established and adequate financial system in place for the purposes of expending and accounting for FTA-provided funds. The PTT requires applicants of FTA funds to demonstrate their financial viability, specify all of their funding sources and the administration of these funds, and provide evidence of a local match for the proposed project. It is through this process that proof of a financial system is validated. Training of specific accounting requirements is provided to new subrecipients as requested. In addition, financial audits may be implemented during biennial reviews of all subrecipients.

#### **UDOT Grant Management Setup**

The FTA Region VIII office notifies the UDOT PTT of publication of the annual apportionments in the *Federal Register* ([www.gpoaccess.gov](http://www.gpoaccess.gov)) in approximately January of each year. Once the following steps are complete, the UDOT Program Managers work with subrecipients to contract the funds through the following process (see the contract discussions below):

1. Upon notification, the UDOT PTT Director prints a copy of the grant and forwards it to the Federal Grant Manager in the UDOT Comptroller's Office.
2. The UDOT Comptroller enters the grant into the State Financial System and assigns FINET and Phase numbers to the grant. All contracts utilizing funds from a grant will be under the assigned FINET and Phase numbers and encumbered against the grant.
3. The Program Manager copies the front pages of executed contracts and gives them to UDOT's Comptroller. The Comptroller submits a monthly Federal Funding Accountability and Transparency Act report (FFATA) to FTA.
4. The UDOT PTT Director or Program Manager enters the grant information into the UDOT PTT Online system, the UDOT 'T' drive, FTA Grant Financial Spreadsheets, and the agency financial spreadsheet for tracking purposes.

#### **Contract Setup**

1. Once the contract is returned to the Program Director, PTT staff then enters the contract information into the UDOT PTT Online system.
  - a. One (1) copy is mailed to the subrecipient.
  - b. One (1) copy is scanned into PTT Online and filed.





- c. One (1) copy is retained in the Comptroller's Office.
2. PTT staff also maintains spreadsheets with grant, contract, and subrecipient expenditure information. The PTT Online system, Comptroller's database, and all other spreadsheets should be consistent throughout the life of the contract as funds are continually drawn down.
3. Contracts are now ready for subrecipients to submit reimbursement requests.

## **Invoicing**

1. Submitted invoices must include:
  - a. Cover letter with the contract number
  - b. The total requested reimbursement amount(s)
  - c. Invoice number (e.g. invoice end date plus contract number – 123114128504)
  - d. Backup documentation - supporting invoices. Invoices must include a summary of all expenses incurred with the UDOT contract number, and backup documentation directly relating to expenses summarized. If the summary and backup documentation are not clear and clearly marked, the invoice will be denied and returned to agency for correction. Backup documentation must include all costs incurred and claimed for reimbursement. Acceptable backup documentation includes agency's progress payment to the contractors, copies of cancelled checks showing amounts made payable to the vendors and contractor, and a copy of staff hours worked and summary of salary and fringe documentation. Specific to payroll, a summary of payroll expenditures during the period of reimbursement request is required. Payroll backup is not required.
2. Invoices and backup documentation are submitted by subrecipients directly into the PTT Online system.
  - a. E-mails are automatically generated and sent to the assigned Program Manager and PTT Director.
3. The Program Manager ensures that the submitted invoices are appropriate expenditures, contain the correct backup information, and are ready for payment.
4. For capital invoices, the PTT staff must identify equipment purchases and coordinate and update the equipment inventory in PTT.
5. The Program Manager then takes prepared invoices to the PTT Director for approval and processing. Invoices require review and approval from both the Program Manager and the Director.
  - a. If there are any problems with the invoice, the Director or Program Manager can send the invoice back to the subrecipient through the PTT system, and an e-mail is automatically generated to ensure that the subrecipient is notified.
6. When a check is issued through the Comptroller's Office, PTT staff receive the original and makes a copy of the check to be filed.
7. The PTT staff sends the check to the subrecipient.



8. The PTT staff scans a copy of the warrant, the check number, and the date it was mailed into PTT Online
  - a. This process ensures that UDOT has proof that a check has been received and mailed.
9. The invoice/check amount is drawn down from the Comptroller's database, the PTT Online system, and the spreadsheets on the 'T' drive for tracking.

### **Contract Closeout**

1. Two fields are required to be completed on PTT Online:
  - a. Expending (invoicing) complete
  - b. Contract closeout date (contracts can be closed in PTT Online before the end of useful life without impacting reporting; contracts should be closed once all funds are expended and reimbursed and no more activity remains; see Useful Life discussion on p. 43)
2. The PTT Director or Program Manager updates the PTT Online system.
3. When a final invoice is received, the Comptroller closes out the specific activity line item that the invoice is submitted for. The "done expending field" (date) is entered.
4. The contract continues until the useful life date is met. (5310 vehicles only).

### **Contract Extensions**

Contract extensions (i.e., modifications, or "mods") are utilized to extend the time period of a contract or to add or reduce the amount of the original contract. The following steps must be taken to process a contract mod:

- The subrecipient submits a written request for the mod.
- The PTT Director ensures that funds are available in the grant to cover the mod (i.e., funds that are not contracted or funds that were denied).
- The Program Manager completes the UDOT contract extension form with the original contract number, original contract amount, and the funding amount or time decreased or increased.
- The PTT Director reviews, signs, and sends the contract extension form to the Comptroller's Office for execution.
- Both UDOT and the subrecipient are required to sign the extension agreement.

### **Deobligation of Federal Funds**

Deobligating funds is the process of notifying FTA of unused funds. The PTT works hard to utilize all federal funds that are appropriated to the state and only deobligates funds when absolutely necessary. The PTT would try and find subrecipients to accept additional funds before deobligating funds. However, there are cases when, after a final draw has been completed by the Comptroller's Office, a small amount of funds may remain. It is at the PTT Director's discretion to deobligate these funds. To do so, the PTT Director or Program Manager will deobligate the funds in TEAM (see Section 3.2 of this document).



### **Local Match Source and Verification**

The PTT certifies annually to the FTA that it has the financial capacity to carry out its POP. This certification includes subrecipients, who agree to provide the necessary financial capacity when accepting federal funds. PTT policy requires each subrecipient to document that they have the financial capacity to complete the project and has committed the required local cash match in its budget. The PTT does not accept in-kind as a local match (other than 5311(f) in-kind miles). During the application process, the subrecipient must assure they have the match. Prior to contract agreement execution, the PTT requires a copy of the subrecipient's approved budget indicating the source and amount of local match designated for the particular project. This budget must be accompanied by a signed letter on agency letterhead confirming the budget is accurate and approved, and the local match for the project will remain allocated. This process is necessary to avoid starting projects with subrecipients who cannot meet their match requirements. It is also necessary to verify the local match is coming from acceptable sources. Refer to Chapter 5 of this document for acceptable sources and specific match requirements for each program and expense type.

### **Subrecipient Accounting Procedures and Audits**

A subrecipient of Section 5304, 5310, 5311, 5316, 5317, 5329, or 5339 funds is not required to adopt any particular accounting method. However, all grantees are required to have a fiscal management system in place that meets the requirements of 49 CFR 18.20. Additionally, all grantees are required to maintain accounting systems that translate to the accrual method of accounting and the Uniform System of Accounts, as required by the reporting requirements specified in 49 USC 5335(b).

Subrecipients demonstrate acceptable accounting procedures through PTT's local match source and verification process. As required in the Office of Management and Budget (OMB) *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*, subrecipients expending more than \$750,000 in federal awards are required to submit an A-133 Audit and findings.

### **PTT Administrative Expenses**

A portion of FTA grant sources is used by UDOT to administer the program and provide technical assistance to subrecipients. Examples of program administrative costs are general administration, staff salaries, office supplies, development of specifications for vehicles and equipment, and budget line items for planning activities. Individual program administrative expenses are as follows:

- Section 5310, 5316, and 5317 Programs: 10 percent of the state's total FY apportionment is used to administer the program.
- Section 5311 and 5311(f) Programs: No more than 10 percent of the state's total FY apportionment is used to administer the Section 5311 program. If administrative, planning, and



technical assistance expenses for intercity bus programs are paid for under this 10 percent cap, the federal share will be 100 percent.

- Section 5311(b)(3) Program: The PTT does not use Rural Transit Assistance Program (RTAP) funds for state administrative expenses; however, it does use these funds for technical/training opportunities. The direct cost of using PTT staff to deliver RTAP services such as training or technical assistance is a program expense, not an administrative expense. Allowable technical assistance costs may include project planning, program development, development of vehicle and equipment specifications, management development, coordination of public transportation programs (public and private for-profit and non-profit), and such research as the PTT may deem appropriate to promote effective means of delivering public transportation service in non-urbanized areas.
- Combining Program Administrative Funds: UDOT does not allow all or a portion of the administrative funds for Section 5310, 5311, 5316, and 5317 programs to be combined to support activities (such as coordinated planning) that are common to these programs.

### **Force Account**

In accordance with federal regulations, if subrecipients' employees perform work on capital projects other than grant administration, this work is considered force account work. This work includes, but is not limited to, design, construction, refurbishment, inspection, incremental labor, and construction management activities. If the cost of force account work is \$100,000 or more, the subrecipient must have a force account plan and justification. This plan must be maintained by the subrecipient in their files and available to the PTT upon request. The full cost of the project is considered when determining if a subrecipient meets the threshold. Force account work is similar to sole source procurements; therefore, justification of the force account plan is required. Justification may be on the basis of cost, exclusive expertise, safety, efficiency of operations, or union agreement.

### **Indirect Costs**

Non-federal entities (except those governmental departments or agency units that receive more than \$35 million in direct Federal funding) that have never received a negotiated indirect rate the opportunity to indefinitely elect a de minimis indirect cost rate of 10% of Modified Total Direct Costs.

*If the agency elects to not use the de minimis rate:*

An indirect rate proposal is developed annually at the operating agency level to distribute administrative support and/or overhead costs of that agency to the programs (and the grants and contracts) that benefit from them. An indirect cost rate proposal may include the allocable portion of a central service CAP. A governmental unit for which a federal cognizant agency has been designated must submit its indirect cost rate proposal to its federal cognizant agency annually. A governmental unit or agency that does not have a cognizant federal agency identified by OMB must



develop an indirect cost rate proposal annually and maintain the proposal and related supporting documentation for audit. These annual rate proposals must also be submitted to UDOT for review and to be placed in the subrecipient file. Unless required by FTA or the cognizant agency, these governmental units are not required to submit their proposals for their review and approval. In addition to initial approval, FTA requires updates to be submitted to it or another cognizant agency when:

- the grantee has made a change in its accounting system, thereby affecting the previously approved CAP/indirect cost rate and its basis of application
- the grantee's proposed CAP/indirect cost rate exceeds the amounts approved previously by more than 20 percent (e.g., if the previously approved rate is 10 percent, approval is needed once the rate exceeds 12 percent)
- the grantee changes the CAP/indirect cost rate proposal methodology.

PTT policy requires subrecipients to identify all indirect costs and show them separately on reimbursement requests. Subrecipients must charge the rates shown in the approved plan. The PTT identifies projects to which indirect costs are associated and compares charges in reimbursement requests to the approved plan to ensure the correct rates are used.

More information is available in the OMB Supercircular -  
<https://www.federalregister.gov/articles/2013/12/26/2013-30465/uniform-administrative-requirements-cost-principles-and-audit-requirements-for-federal-awards>

### **3.4 Procurement Management**

See the Vehicle Policies discussion in Section 5.2 of this document for information about rolling stock procurement.

The PTT is responsible for ensuring full and open competition and equitable treatment of all potential bidders/suppliers in the procurement process. 49 CFR 18, otherwise known as the Common Grant Rule, and FTA Circular 4220.1F (updated March 13, 2013), Third-Party Contracting Requirements, set forth the requirements to which the PTT must adhere in the solicitation, award, and administration of procurements. Depending on the nature of the procurement and type of subrecipient, all or some of the requirements in FTA Circular 4220.1F may apply.

When the UDOT PTT awards funds for the purchase of non-state procured capital equipment and services, all subrecipients are required to comply with third-party contracting standards in accordance with FTA guidelines defined in FTA Circular 4220.1F, Third-Party Contracting Requirements, as well as FTA's *Best Practices Procurement Manual*. All subrecipients, in accordance with 49 USC 5325(a), agree to conduct all procurement transactions in a manner that provides full and open competition.



The PTT has developed a PTT Procurement Guide to be utilized by its subrecipients. The procurement guide can be found at: <http://www.udot.utah.gov/main/f?p=100:pg:0:::1:T,V:3209>. This guide is provided as a resource, but should not be interpreted as exhaustive. It does not address every question that may arise, nor does it address every procurement scenario. Subrecipients must be familiar with FTA third-party contracting regulations and references listed throughout the guide.

The PTT has divided its subrecipients into two groups: unauthorized entities and authorized entities. The PTT Procurement Guide provides definitions and detailed information on the two groups. In general, unauthorized entities are not permitted to conduct their own procurements if federal funds are included when the purchase is expected to exceed \$5,000. In this case, procurement will be handled through the UDOT Procurement office (<http://www.udot.utah.gov/main/f?p=100:pg:0:::1:T,V:1168>). To initiate a specific procurement, the Program Manager must obtain a username and password for the Procurement Services Online system (<https://app.udot.utah.gov/procurement/psa/f?p=126:1>). For procurements done by the UDOT Procurement office, the PTT Program Manager and Compliance Officer must review the final solicitation document and contract before advertisement and execution to verify all required third-party contract clauses are included and to perform an excluded parties list search ([www.sam.gov](http://www.sam.gov)).

Authorized entities are responsible for all facets of their procurement and are expected to manage the process from start to finish. If subrecipients are not sure if they are authorized, they should contact the applicable Program Manager for clarification. Authorized entities must still follow all PTT policies discussed above, including submittal of procurement documentation before solicitation and award to ensure that the procurement is in compliance. The PTT Program Manager and Compliance Officer must review this procurement documentation and complete and file the procurement review checklist before the entity moves forward with the next procurement step.

Unauthorized entities must submit procurement documentation for procurements exceeding the micro-purchase threshold for review and approval prior to solicitation and prior to awarding of a contract. All unauthorized and authorized contract files must be properly maintained for auditing purposes, and subrecipients are instructed to be prepared to submit these documents to the PTT at any time during the procurement process (see the PTT Procurement Guide, Appendix B, Public Solicitation Checklist). Subrecipients must also ensure bidder compliance with applicable federal guidelines. All subrecipients are required to generate a written record of procurement history to include procurement planning, specifications, and pre-award and post-delivery audit requirements under FTA and state procurement regulations.

### **3.5 Asset Management**

#### **Property Insurance**

The PTT requires all subrecipients to maintain adequate insurance coverage (collision, comprehensive, liability, uninsured motorist, no fault, flood hazards, Federal Motor Carrier Safety,



fire, etc.) as required by federal, state, and local law and to provide assurance of coverage to protect FTA's interest in the property. This includes all vehicles, equipment, facilities, and other property as defined by FTA Circular 5010.1D, Grant Management Requirements. The subrecipient must comply with all applicable motor vehicle laws, and secure a certificate of insurance covering each motor vehicle demonstrating that the subrecipient has obtained all insurance required by state and federal law. The subrecipient is required to obtain the minimum specified coverage for the following categories:

- Bodily Injury Liability: Minimum specified by state and federal law, whichever is greater.
- Property Damage Liability: Minimum specified by state and federal law, whichever is greater.
- Collision: An amount equal to at least 100 percent of the property value during the period of coverage or minimum specified by state and federal law, whichever is greater.
- Comprehensive: An amount equal to at least 100 percent of the property value during the period of coverage or minimum specified by state and federal law, whichever is greater.
- Uninsured Motorist: An amount equal to at least 100 percent of the property value during the period of coverage or minimum specified by state and federal law, whichever is greater.
- No Fault: Minimum specified by state and federal law, whichever is greater.
- Flood Hazards: The subrecipient agrees to comply with the flood insurance purchase provisions of Section 102(a) of the Flood Disaster Protection Act of 1973, as amended, 42 USC 4012a(a), with respect to any project activity involving construction or an acquisition having an insurable cost of \$10,000 or more. Insurance coverage should be for an amount equal to at least 100 percent of the property value during the period of coverage or minimum specified by state and federal law, whichever is greater.

This insurance is required to continue uninterrupted throughout the period of required use. For facilities and other non-vehicle property, the subrecipient must obtain insurance coverage for an amount equal to at least 100 percent of the property value during the period of coverage or minimum specified by state and federal law, whichever is greater. Property is required to be insured against theft, vandalism, fire, earthquake, flood, and wind.

### **Use of Property**

Federally funded property must be used by the subrecipient in the program or project for which it was acquired, and the use must meet the definition of public transportation as defined in this SMP. Property should first be utilized to meet the needs under the program for which it was acquired. However, the PTT encourages maximum use of property funded under its programs. The PTT encourages the sharing of vehicles or other equipment as long as it does not disrupt the original intended use. PTT policy requires subrecipients to notify the PTT immediately if property is not used in the approved program or project or if it is used in a manner substantially different from that described in the project scope. The PTT will provide guidance and assist the subrecipient in approving alternative uses or disposing of the property.





If property use is not as approved or intended or property is no longer needed, the PTT will consider several options. First, the PTT and the subrecipient should consider ways to increase usage within the approved project and program. As long as the original intended use is not disrupted and receives priority, the property may be used for other public transportation services that are allowed and in compliance with federal regulations. For instance, a vehicle purchased with Section 5310 funds may be considered for service to the general public in addition to service for senior individuals and individuals with disabilities, provided the latter remain the priority.

Second, the property can be transferred to any eligible subrecipient as described herein if the property will continue to be used in accordance with the requirements of the project proposal and grant program. The subrecipient receiving the property must comply with all applicable state and federal requirements. The names of the entities involved in the transfer of property, as well as a description of the property transferred, should be included in a new or revised POP. The transfer may be shown in the POP for any active grant. It does not have to be in the grant under which the property was originally funded. For any transfer of property for which a federal interest remains, the new owner must reimburse the original subrecipient the prorated value of the local match calculated using straight line depreciation. For example, if a vehicle with five years of useful life is transferred after four years, the new owner must reimburse the original owner in an amount equal to 40 percent of the original local match. The reimbursement value will be calculated based on the total match, the useful life, and the total months the bus has been in service (see the example below):

$$\text{Local Match} - ((\text{Local Match}/\text{Useful Life (in Months)}) \times \text{Total Months in Service}) = \text{Reimbursement Value}$$

$$\$12,000 - ((\$12,000/60) \times 48) = \$2,400$$

Third, property, including land, that is no longer needed for the purpose for which it was acquired can be transferred to a local governmental authority to be used for a public purpose other than transportation with no further obligation to the federal government, if authorized by the PTT, who will secure authorization from the FTA. If the property cannot be used within the applicable grant program, the PTT may consider transferring the property to another FTA grant program.

Finally, if no additional use can be found for the property, it will be disposed of according to PTT policy. For any transfer of property for which a federal interest remains, the new owner must reimburse the original subrecipient the prorated value of the local match calculated using the straight line depreciation method outlined above.

Subrecipients are required to maintain satisfactory records regarding the use of the property. All vehicle usage and accidents must be reported by subrecipients in the PTT Online system. Facility use documentation must be available at any time to the PTT. Subrecipients are also required to



submit an annual report to the PTT providing assurance that project property exists and is being used and maintained in accordance with the project proposal filed by the subrecipient with the PTT.

### **Incidental Use**

The PTT encourages subrecipients to look for incidental use opportunities so long as the incidental use does not interfere with the original property use. PTT policy requires the subrecipient to receive PTT approval prior to allowing incidental use. PTT policy also requires subrecipients to document incidental use and revenues once the use has been approved. In addition to not interfering with the original project and program use, several requirements for incidental use must be met:

1. The subrecipient must maintain continuing control over the property. Incidental use agreements must contain appropriate provisions maintaining the subrecipient's control.
2. The subrecipient must fully recapture all costs related to the incidental use from the non-transit public or private entity, including all applicable excise taxes on fuel for fueling facilities and wear and tear to capital improvements.
3. The subrecipient must use revenues received from the incidental use for capital and/or operating expenses that were or will be incurred to provide the public transportation.
4. Private entities must pay all applicable excise taxes on fuel.

### **Leasing**

To maintain continuing control over federally funded assets, leasing is not permitted. However, the PTT encourages vehicle coordination with agencies to maximize vehicle usage (see the Mobility Management discussions in Sections 2.8, 5.2, and 5.3).

### **Property Maintenance**

Federally funded property must remain in good operating order at a high level of cleanliness and safety. PTT policy requires a written maintenance plan to be in place and approved prior to property use. These plans should cover all property, including vehicles, facilities, ADA features, and equipment, and should describe a system of periodic inspections and preventive maintenance to be performed at certain defined intervals. Plans must include pre-trip inspection, surveillance inspection, and preventive maintenance inspection requirements. These three inspection types are the minimum requirements; additional inspections may be required. The PTT will either provide a maintenance plan based on manufacturer's recommendations or the subrecipient can submit their own plan for approval. If the subrecipient opts to use a PTT-provided plan, the subrecipient will be responsible for submitting all manufacturer requirements to the PTT for plan development. All plans must meet the minimum manufacturer requirements for maintenance.

PTT policy requires subrecipients to have a system in place to track property warranties, identify warranty claims, record claims, and enforce warranty claims against the manufacturer.



Subrecipients are responsible for ensuring that maintenance costs covered by warranties are recovered from the manufacturer and are not submitted for reimbursement.

Subrecipients are required to maintain satisfactory records regarding the maintenance of property, including warranty claims. All vehicle maintenance inspections and services must be reported by subrecipients in the PTT Online system. Facility and equipment maintenance documentation must be available at any time to the PTT.

### **Property Title and Lien**

The PTT does not hold titles/deeds. The PTT requires each subrecipient to relinquish physical possession of the title, deed, or ownership document to the PTT for the length of time there is an active federal interest in any property. In addition, the PTT secures property liens or restrictive covenants to protect the federal share of the property. Subrecipients must include UDOT as a lien holder when completing registration, insurance, and other forms. The lien or covenant will be released when the useful life and disposition standards have been met and any non-compliance findings are resolved. The federal interest expires when the property reaches its useful life and the vehicle value is less than \$5,000. These requirements exist to protect the federal interest and to maintain continuing control over property.

### **Useful Life**






Useful life indicates the expected lifetime of capital purchases, or the acceptable period of use in service. When the useful life has been reached and the vehicle has a resale value of less than \$5,000, the PTT returns the property title or ownership documents to the subrecipient and cancels its lien.

PTT, at its discretion, may extend useful life of capital purchases. Situations, including non-compliance of Federal and/or PTT regulations and contracts, non-use of equipment, low vehicle miles and inconsistent maintenance, are examples of where by PTT may extend a vehicles useful life.

### **Vehicles**

Useful life of vehicles begins on the date the PTT takes possession of the vehicle and continues until the vehicle reaches the useful life minimum criteria outlined in Table 3.4, below. The useful life minimum refers to total time or miles in revenue service, not time spent stockpiled or otherwise unavailable for regular transit use. The PTT useful life policy revisions will be effective upon document approval. All vehicles procured under the 2012 SMP will be held to the 2012 Useful Life policy.

**Table 3.4: Vehicle Types and Useful Life**

PTT Category	Photo	Approx. GVWR	Number of Seats	Approximate Length	Useful Minimum Life
A: Large, Heavy-Duty Transit Bus and Articulated Buses		33,000 – 40,000 lbs.	35 – 40+	35 – 40 ft. or greater	12 years or 500,000 miles
B. Medium-Size, Heavy-Duty Transit Bus		26,000 – 33,000 lbs.	25 – 35	30 – 35 ft.	10 years or 350,000 miles
C. Medium-Size, Medium-Duty Transit Bus & Truck Chassis Cutaway Bus		10,000 - 26,000 lbs.	16 – 30	25 – 30 ft.	7 years or 200,000 miles
D. Medium-Size, Light-Duty Bus & Van Chassis Cutaway Bus		10,000 – 16,000 lbs.	12 – 16	20 – 25 ft.	7 years or 150,000 miles
E-1: Small, Light-Duty Bus E-2: Modified Vans E-3: Modified Minivans (33,000 – 40,000 lbs.) E-4: Vans E-5: Minivans E-6: Station Wagons E-7 Sedans		6,000 – 14,000 lbs	3 – 14	E-1: 20 – 22 ft. E-2: < 20 ft. E-3: < 20 ft. E-4 through E-7: < 20 ft.	5 years or 100,000 miles



## **Rehabilitated Vehicles**

The PTT does not allow for the procurement of rehabilitated vehicles.

## **Facilities**

With regular maintenance, assets will operate at the same level on first and last day of service, throughout their useful life. In general, assets within their useful life are considered to be in a state of good repair. (The FTA website includes the following information regarding state of good repair, “State of good repair is the condition where all assets perform their assigned functions without limitation.”) Subrecipients must apply the following useful life standards to facilities funded through the PTT:

- Passenger shelters such as pre-fabricated metal, glass, Plexiglas, and stick-frame structures: Useful life of 20 years
- Bus barns such as site-built “pole barns” or other stick-frame barns: Useful life of 40 years
- Administration and maintenance buildings (including additions): Useful life of 40 years
- Concrete pavement infrastructure: Useful life of 20 years
- Fencing: Useful life of 20 years
- Office furniture: Useful life of 10 years

## **Other Equipment**

For other equipment with an acquisition value greater than \$5,000, the PTT determines useful life standards on a case-by-case basis that reflects the manufacturer’s estimated useful life. The subrecipient should propose a useful life in its project proposal.

## **Disposal**

UDOT will release the lien when the useful life and disposition standards have been met and any non-compliance findings are resolved. The federal interest expires when the property reaches its useful life and the vehicle value is less than \$5,000. These requirements exist to protect the federal interest and to maintain continuing control over property

## **Selling Prior to Meeting the Useful Life**

If a subrecipient desires to dispose of the property before it meets the end of its useful life, and an alternative use cannot be found as described above, the property may be sold with the PTT and FTA approval. The subrecipient must submit a request to the PTT. If a sale is approved by the PTT, proceeds do not need to be returned to the PTT or FTA; however, all proceeds must continue to be used for public transportation purposes within the program from which it originated.

The UDOT PTT will apply a straightline depreciation formula to vehicles to determine the depreciated value of Federally funded vehicles.



Example Straightline Depreciation			
<b>Cost</b> (purchase price)	\$48,000		
<b>Salvage</b> (estimated value)*	\$5,000		
<b>Life</b> (years in service)	7		
<b>Depreciation</b> ((cost-salvage) / life)	\$6,143.00		
yr	vehicle value	vehicle depreciation	depreciated value
1	\$48,000	\$6,143	<b>\$41,857</b>
2	\$41,857	\$6,143	<b>\$35,714</b>
3	\$35,714	\$6,143	<b>\$29,571</b>
4	\$29,571	\$6,143	<b>\$23,428</b>
5	\$23,428	\$6,143	<b>\$17,285</b>
6	\$17,285	\$6,143	<b>\$11,142</b>
7	\$11,142	\$6,143	<b>\$4,999</b>

If the subrecipient receives insurance proceeds when the property has been lost or damaged by fire, casualty, or natural disaster, the subrecipient must apply those proceeds to the cost of replacing the property or return to the PTT an amount equal to the remaining federal interest in the property.

### **Selling After the Useful Life**

Prior to selling the vehicle, the subrecipient must notify the PTT of its intent. The PTT will work with the subrecipient to identify the value of the vehicle. The PTT will apply the straightline depreciation formula above to assist in determining the depreciated value of Federally funded vehicles.

If the subrecipient chooses to sell the vehicle, and the market value of the vehicle is \$5,000 or more, the PTT requires reimbursement of the proportionate share (80% Fed/20% Local) of the net proceeds from the sale. Reimbursed proceeds will go back into the grant program from which the vehicle funds were utilized. The funds will then be shown in future grant applications. FTA has no federal interest in vehicles with a fair market value of less than \$5,000.



### **3.6 Technical Assistance and Training**

The PTT provides technical assistance and training with emphasis on maximizing resources, developing competent transit management, and improving the effectiveness of transit operations. The PTT provides various forms of technical assistance upon request, such as: project planning, program and management development, coordination of public and private transportation programs, and vehicle and equipment procurement. The PTT also offers ongoing PTT Online training to new and existing subrecipients and is available to provide technical assistance on an as-needed basis for new regulations and policy revisions and upon request. Although Section 5311(b)(3) funds support these activities where needed, RTAP funds are used primarily to provide training to local project administration and operations, driver training, and risk management training. Training funds are applied for and awarded to eligible recipients to attend local, state, regional, or national workshops, courses, or seminars.

The PTT also uses the mandatory pre-agreement signing meeting as a technical assistance opportunity. This meeting is particularly helpful for new subrecipients and provides a one-on-one opportunity for subrecipients to ask questions and the PTT to provide information on requirements for reporting, procurement, grant administration, project management, financial management, asset management, civil rights and Title VI, ADA, and other federal and state requirements.

The PTT conducts biennial program reviews of its subrecipients. These reviews cover ADA, procurement, Title VI, EEO, asset management, and project management. In addition to providing the PTT with an opportunity to assure compliance, this serves as a technical assistance opportunity. The subrecipients may ask questions regarding federal and state requirements and the PTT provides valuable input on what is required and what is working well in other parts of the state.

#### **Subrecipient Monitoring and Compliance**

UDOT provides a number of ongoing trainings upon request to ensure that each subrecipient is prepared for and compliant in the following:

- Application Requirements (5310, 5311, 5339)
- Reporting and Invoicing in the PTT Online System (5310, 5311, 5339)
- Vehicle Procurement Procedures (5310, 5311, 5339)
- Civil Rights Requirements (ADA, Title VI, DBE, EEO) (5310, 5311, 5339)
- Drug and Alcohol Requirements (5311 & 5339)
- NTD Reporting (5311, 5339)
- Annual Financial Reporting (5311)
- Complementary Paratransit (5311)
- Surveillance Reporting (5310, 5311, 5339)
- Quarterly Reporting (5310, 5311, 5339 )
- Procurement Procedures





- FTA Financial Requirements (5310, 5311, 5316, 5317, 5339)

UDOT also provides the following tools to aid subrecipients in the aforementioned areas of compliance:

- SMP
- Procurement Guide
- Procurement reviews and assistance
- 5310 Program Compliance Manual
- 5311 Program Compliance Manual
- Title VI Checklist
- Complementary Paratransit Checklist
- Application training
- PTT Online training

See Chapter 5 of this document for compliance requirements for each program.

### **Civil Rights – Providing Assistance to Subrecipients**

The UDOT PTT and Civil Rights department work to disseminate the appropriate Title VI information to regional AOGs around the state. In addition, they work with local planners to ensure that all segments of the population are informed of the available transportation programs, proposed projects, and ongoing transportation planning activities.

The UDOT PTT and Civil Rights department are available to answer specific questions and provide technical assistance to all providers and applicants for FTA funds. Beyond scheduled compliance site visits, the UDOT PTT will also meet on-site when requested to provide any technical training or assistance needed.

The following checklist was created to assist UDOT and regional AOG staff in meeting Title VI requirements statewide:

1. Provide Title VI guidance and training materials to all known providers
  - a. Materials will include contact information for questions/concerns regarding Title VI
  - b. AOG contact information
  - c. Web link for UDOT Title VI plan/process, including:
    - i. Low-income and minority figures for each AOG
    - ii. Known providers in each AOG
    - iii. Largest employers and medical facilities in each AOG
  - d. Detailed and clearly outlined process for application and Title VI requirements/compliance
  - e. Additional sources for Title VI information
2. Ensure that all subrecipients have Title VI posters visibly and accessibly displayed in public areas and clearly posted in all vehicles (posters provided by UDOT Civil Rights at:



[www.udot.utah.gov/main/f?p=100:pg:0::::T,V:198](http://www.udot.utah.gov/main/f?p=100:pg:0::::T,V:198))

3. Utilize demographic information provided by the UDOT PTT to identify low-income, minority, and predominant minority populations
4. Disseminate census data to known providers
5. Provide Limited English Proficiency (LEP) instructions to identified populations (see UDOT Civil Rights website at: [//www.udot.utah.gov/main/f?p=100:pg:0::::T,V:198](http://www.udot.utah.gov/main/f?p=100:pg:0::::T,V:198))
6. Identify and develop communication channels with minority populations and low-income populations in the AOG region
  - a. Document all efforts to identify and create communication channels with the following population segments:
    - i. Individuals
    - ii. Organizations
    - iii. Institutions
    - iv. Community groups
    - v. Churches
7. Hold public meetings early in the year (spring/summer) to identify needs and opportunities
  - a. Work closely with regional providers and other entities to develop eligible projects
  - b. Utilize identified communication channels and strategies to reach out and inform low-income, minority populations, and predominant minority populations.  
Strategies include but are not limited to:
    - i. Various meeting formats
    - ii. Alternative locations, facilities, and times
    - iii. Personal interviews/audio and video recording
    - iv. Alternative media (if available)
  - c. Document all outreach and coordination efforts, as well as efforts to overcome barriers to public participation
8. Work with and encourage providers, specifically providers for the referenced population segments/communities, to apply for FTA program grants
9. Utilize the identified communication channels and strategies to allow for comments on identified projects in the AOG region
10. Document all steps taken to identify, reach out to, and inform Title VI populations
11. Provide the UDOT PTT with an annual report of ongoing Title VI compliance efforts and maintain a permanent file for compliance review
12. Provide an update to the local coordinated plan that includes Title VI needs and gaps, as needed, at least every three years
13. Attend UDOT PTT/Civil Rights Title VI training as requested or required by UDOT

### **3.7 Oversight and Compliance**

The PTT is ultimately responsible to FTA to ensure federal funds are spent and administered according to federal and state requirements. Before distributing any federal funds on projects, the



PTT certifies to FTA that it and the entities with which it has relationships have met all statutory and program requirements. The PTT passes these requirements down to these entities in their contract agreements and expects these entities to comply with federal and state requirements. The PTT maintains continuing control over these entities and ensures compliance through its oversight and compliance policies and procedures.

### **RFPs and Applications**

The RFP and application process includes several oversight and compliance checks:

- Prior to selecting projects for funding, the PTT Program Manager reviews coordinated plans to ensure planning requirements are met. The PTT stipulates that the lead local agency must certify that the coordinated plan is developed through a process that includes representatives of public, private, and non-profit transportation and human services providers and participation by members of the public; and that the coordinated plan is updated at a minimum of every four years in conjunction with the statewide long-range plan.
- The Program Managers review applications for completeness, accuracy, and eligibility. This includes reviews to verify applicants and proposed activities are eligible for funding under the specific grant program. Applications that do not meet requirements are returned for revision or not accepted.
- Applicants must certify they have the necessary local cash match available (in-kind is not accepted).
- After receiving evaluations from the applicable regional planning agency, the PTT Program Managers conduct an evaluation and score applications based on established criteria, including past compliance and demonstrated managerial, financial, and technical capacity of the applicant.

### **Contract Agreements and Mandatory Pre-agreement Signing Meeting**

The contract agreement and mandatory pre-agreement signing meeting provide valuable compliance measures in the overall process. Key tasks related to these efforts include the following:

- Contract agreements are developed by the PTT Director with input from the Program Manager and Compliance Officer. The contracts include federal and state requirements and pass these requirements on to subrecipients. Relevant documents such as this SMP are incorporated by reference. The boilerplate contract agreements are reviewed and approved by the UDOT Attorney General prior to use.
- Contract agreements are reviewed at least annually by the Compliance Officer to ensure federal and state requirements are consistent with current regulations. If necessary, they are updated and reviewed by the UDOT Attorney General. Once approved by the Attorney General, they become the current contract agreements for use.
- Contract agreements include and document the subrecipient's reporting responsibilities.



- The pre-agreement signing meeting provides a documented question-and-answer opportunity for the subrecipient prior to entering into the contract. The PTT also reviews contract requirements. This step assists subrecipients in understanding what they must do to comply and documents the PTT's notification of those requirements.

### **Site Visits and Inspections**

The PTT conducts biennial site visits and inspections of its subrecipients; however, the PTT may perform site visits and inspections on a more frequent basis, if deemed necessary. Reasons for more frequent visits include, but are not limited to, numerous follow-up items on previous visits; complaints regarding service, vehicles, or other items; or frequent PTT Online alerts. Site visits and inspections are performed by the Compliance Officer and include a comprehensive review of the funded activities. Complete inspections of the property on-site are done for 100 percent of the property pieces if the subrecipient has two or less. For subrecipients with more than two pieces of property, pieces are randomly selected and at least 50 percent are inspected; this includes facilities.

To assist the Compliance Officer, the PTT has developed standard forms that include specific questions about equipment and operations. These forms cover ADA; procurement; asset management including use, maintenance, and loss prevention; DBE; and Title VI and EEO. Reviews of subrecipients' reporting and financial management are done via PTT Online and should be done prior to the site visit in coordination with the Program Manager. Any reviews that can be done remotely with the Program Manager should be done prior to the site visit and inspection so findings of these reviews can be discussed at the site visit. Once the subrecipient review is complete, a final report is sent to the subrecipient and Program Manager. Any follow-up items with time frames for responses are identified in this report. It is the Compliance Officer's responsibility to track and verify follow-up items are addressed and documented. All site visit and inspection dates and findings are tracked in PTT Online and summarized in a log.

### **Financial Oversight**

The PTT provides ongoing financial management oversight of grants through its quarterly expenditure reimbursement process. The process requires subrecipients to submit a monthly, or at least quarterly, expenditure request. Requests must be submitted with a cover letter with the following information (see Appendix C for example reimbursement request letter):

- Contract number
- Invoice number
- Invoice billing period
- Reimbursement total (showing federal funding and local match)

Requests for financial reimbursement must include copies of financial records and supporting documentation, and all other records pertinent to the request for the billing period. The PTT requires that subrecipients bring to the attention of the state any audit findings relevant to their use of FTA funds. Subrecipients who receive funds that exceed the audit threshold (currently



\$750,000) must ensure that the audits performed are consistent with the requirements of OMB Circular A-133; the PTT verifies these audits are performed when required.

Subrecipients must submit backup documentation that supports the contract and invoices. The invoice is to include only work tasks or items identified through the contract. Invoices must include the UDOT contract number and a summary of all expenses incurred and relate those expenses to the contract work scope of tasks. Backup documentation directly relating to expenses summarized must be included in the invoice. If the summary and backup documentation are not clear and clearly marked, the invoice will be denied and returned. Backup documentation must include all costs incurred and claimed for reimbursement. Acceptable backup documentation includes agency's progress payments to the contractors (such as paid invoices, bank statements, amounts paid to vendors and contractors, etc.), and a copy of staff hours worked on project and appropriate documentation. Specific to payroll, a summary of payroll expenditures during the period of reimbursement request is required. Payroll backup is not required.

The PTT will total indirect costs submitted with reimbursement requests to ensure they reflect the percentage identified in the subrecipient's approved indirect cost plan. Tracking of the agency indirect costs and submitted reimbursement requests will be completed utilizing the PTT Indirect Cost Monitoring Form. The form is placed in the agency file upon the annual approval of the agency indirect cost plan.

Invoices are submitted by subrecipients directly into the PTT Online system, and e-mails are automatically generated and sent to the assigned Program Manager and PTT Director. The Program Manager ensures that the submitted invoices are appropriate expenditures, contain the correct backup information, and are ready for payment.

### **Reporting and Performance Measure Oversight**

The PTT uses the PTT Online system to collect reporting, performance measure, and maintenance data from subrecipients. PTT Online includes internal deadlines and established objectives and requirements so it can track if dates or minimum requirements are being met. When requirements are not met, PTT Online e-mails an alert to the subrecipient and PTT staff. Likewise, when reports and other information are submitted, an e-mail alert is sent to notify PTT staff that items are available for review. PTT Online includes a reporting and tracking field for the items listed in Table 3.5 (see also Appendix A of this document):

**Table 3.5: Items with Reporting or Tracking Field in PTT Online**

<b>Reporting or Tracking Field</b>	<b>Criteria</b>	<b>Responsible Party for Reviewing Data</b>
<b>Quarterly Report</b> (vehicle usage)	Date specific	Compliance Officer / Program Manager
<b>NTD Report</b>	Date specific	Program Manager
<b>Complementary Paratransit Plan</b>	Date specific	Program Manager or Compliance Officer



<b>DBE Report</b>	Date specific	UDOT Public Transit Team
<b>EEO Plan and Report</b>	Date specific	FTA Civil Rights UDOT HR completes UDOT EEO Plan
<b>Drug and Alcohol Report</b>	Date specific	PTT Drug and Alcohol Specialist (this is submitted to a national site)
<b>OMB A-133 Single Audit</b>	Date specific	PTT Director UDOT Internal Audit Division
<b>Vehicle Mileage and Trips</b>	Date specific	Compliance Officer
<b>Surveillance Inspections</b>	Date specific	Compliance Officer
<b>Preventive Maintenance</b>	Mileage specific	Compliance Officer
<b>Accidents and Incidents</b>	N/A	Compliance Officer or Program Manager
<b>Invoicing or Reimbursement Requests</b>	N/A	Program Manager or PTT Director

When any report is either submitted or late, PTT Online sends a notification to PTT staff and the assigned individual either reviews the report or follows up with the subrecipient on late reports as detailed below. PTT Online tracks the review and acceptance or return of reports, thereby documenting this process.

### **Civil Rights Compliance/Monitoring Subrecipients**

The UDOT PTT works closely with UDOT Civil Rights staff and subrecipients to ensure that Title VI requirements are being met and that all parties are in compliance. The UDOT PTT Compliance Officer conducts biennial compliance on-site reviews and documents the process and results to ensure that subrecipients are complying with the U.S. Department of Transportation (USDOT) Title VI regulations.

The UDOT Compliance Officer looks for the following items during on-site reviews:

- Clearly displayed Title VI posters with the required information (in vehicles and in public spaces):
  - Description of Title VI
  - Explanation of how to obtain Title VI information
  - Explanation of how to file a complaint
  - Available complaint forms
  - Current file containing complaints

As part of the pre-agreement signing meeting, the PTT Compliance Officer provides the following information and completes the following tasks:

- Provides introduction to Title VI and its requirements for compliance
- Provides Title VI posters requiring signatures and contact information



- Discusses required poster locations
- Discusses LEP and provides the UDOT LEP tools
- Provides and discusses Title VI complaint forms
- Discusses required maintenance of a Title VI file readily available for review
- Discusses the reporting requirements and the annual Certification and Assurances
  - Verifies Title VI requirements and description of lawsuits and complaints for the past year

All agencies applying for federal funds must have a Title VI plan and agree to comply with Title VI regulations.

In addition to training for new subrecipients, the UDOT PTT Compliance Officer conducts trainings as requested and as changes in the law occur. The Compliance Officer is available any time as a technical resource for questions or concerns regarding Title VI and its requirements.

### **Title VI Certification and Assurance**

By signing a contract with the UDOT PTT, subrecipients agree to the annual list of Certifications and Assurances for FTA grants and agree to cooperate with agreements published each FY. The PTT sends the Certifications and Assurances to all subrecipients annually to sign and submit back to the PTT to be kept on file.

### **Non-Compliance**

It is the responsibility of the subrecipient to comply with all federal and state requirements. It is PTT policy to provide prompt notice to subrecipients of any non-compliance issues; the PTT then works with subrecipients to identify corrective action plans. The PTT understands that circumstances may arise that cause non-compliance issues. However, ongoing or repeated issues, failure to correct noted issues in the time allowed, or ignoring PTT direction is not permitted and may result in probation, exclusion from future funding, or confiscation of property. The following outlines the process for non-compliance notification and action for all programs:

1. After 10 days, the Compliance Officer sends an informal e-mail. The Compliance Officer will also document delinquency.
2. After 20 days, the Program Manager sends a formal letter. The letter is included in the subrecipient's file.
3. After 30 days, the PTT Director sends a formal letter. Possible repercussions (at the discretion of the PTT Director) include:
  - a. Probation
    - i. Subrecipient may have to do additional reporting
    - ii. PTT may hold title beyond projected release date until subrecipient becomes and maintains compliance for a specified period of time
    - iii. Subrecipient's ability to receive future funding may be affected
  - b. Confiscation of vehicle





- c. PTT reserves the right to use all means necessary to ensure compliance, including exclusion from future funding opportunities or current funding deobligation

### **Documentation**

All documentation of compliance and oversight activities is filed by the Compliance Officer in the compliance folder according to the documentation management/project controls folder and file structure.



## **CHAPTER 4. FEDERAL LEGISLATION**

Federal legislation directly affects the UDOT PTT and its subrecipients. This section does not include an exhaustive list and description of federal legislation; rather, it describes legislation that is sometimes less known or legislation for which the PTT has more stringent policies.

### **4.1 Civil Rights**

UDOT adheres to federal civil rights requirements through agency monitoring and administration and the establishment of a Title VI plan.

UDOT maintains a file of program funding requests that identifies applicants that are minority organizations or provides SMP assistance to minority communities. To reach out to minority organizations and inform them of the opportunity to participate in section programs, UDOT provides annual notices of the availability of funding to all known transit operators, including Indian tribes and minority organizations. Additionally, statewide media coverage is facilitated through public notice advertisements.

#### **Agency Monitoring and Administration**

UDOT complied with the requirements of the Civil Rights Act on April 29, 1988, by executing and filing a one-time assurance with FTA. Subrecipients are required to file similar assurances with UDOT in agreement form. The assurances in the agreement are written as follows:

“As a condition of receiving Federal financial assistance under the UMTA [Urban Mass Transportation Administration] Mass Transportation Act of 1964, as amended, it will ensure that:

- a. No person on the basis of race, color, or national origin will be subjected to discrimination in the level and quality of transportation services and transit-related benefits.
- b. The agency will compile, maintain, and submit in a timely manner Title VI information required by UMTA Circular 4702.1 and in compliance with the Department of Transportation’s Title VI regulation, 49 CFR Part 21.9.
- c. The agency will make it known to the public that those person or persons of transportation services and transit-related benefits may file a complaint with the Federal Transit Administration and/or the U.S. Department of Transportation.”

### **4.2 Title VI Program Plan**

#### **Statewide Transportation Planning Activities**

As required by FTA Circular 4702.1B, UDOT has established an analytical process to identify those population segments protected under Title VI of the Civil Rights Act of 1964.

UDOT has in place a comprehensive approach utilizing the best available census data and Geographic Information System (GIS) tools to analyze and assist in integrating into its statewide



planning activities all considerations expressed in the USDOT Order on Environmental Justice, for certifying compliance with Title VI. These efforts culminate in the application process. While UDOT requires each proposed application to be a part of the current coordinated plan, UDOT also requires new subrecipients to document the public process involved in creating their proposed project/service. (This requirement applies to current subrecipients with changes in service as well.)

The process must include documentation of the subrecipient's public involvement efforts to provide early and continuous opportunities for the public to be involved in the planning process. An agency's public participation strategy must offer early and continuous opportunities for the public to be involved in the identification of social, economic, and environmental impacts of proposed transportation decisions. These efforts include:

- Providing notice to the public that the subrecipient is committed to providing non-discriminatory service and providing direction on how an individual may file a discrimination report
- Coordinating with individuals, institutions, or organizations, and implementing community-based public involvement strategies to reach out to members in the affected minority and/or low-income communities
- Providing opportunities for public participation through means other than written communication, such as personal interviews or use of audio or video recording devices to capture verbal comments
- Using locations, facilities, and meeting times that are convenient and accessible to low-income and minority communities
- Tailoring communications to a particular community or population by using different meeting sizes or formats, or varying the type and number of news media used to announce public participation opportunities
- Implementing USDOT's policy guidance concerning recipients' responsibilities to LEP persons to overcome barriers to public participation

If the applicant does not have a documented public outreach plan regarding the proposed project, the application will be rejected.

1. UDOT has a demographic profile of the state that includes the locations of socioeconomic groups, including low-income and minority populations (as well as Native American populations) as covered by the Executive Order on Environmental Justice and Title VI.
  - a. Utilizing census block group data downloaded from [www.census.gov](http://www.census.gov), the location of low-income and minority populations are displayed on a density scale. In addition, the predominant minority groups are also identified in each AOG region for specific outreach measures.
2. UDOT has a statewide transportation planning process that identifies the needs of low-income and minority populations.
  - a. UDOT provides the above data to local AOG planners to isolate and target areas for local outreach and involvement within their own planning areas. This information is used in their coordinated planning efforts/updates.



- b. UDOT works with AOG staff to interpret the data.
  - c. UDOT provides training to local AOGs to ensure that the AOGs are knowledgeable on Title VI and to ensure equal opportunity for low-income and minority populations.
  - d. Local AOG planners incorporate the outreach and local involvement in local plans to update any gaps and needs of the local areas, and then report those changes to UDOT, as needed.
  - e. Through public outreach, UDOT and AOGs encourage applications from agencies serving predominantly minority and low-income populations. This process may include:
    - i. Posting on the PTT and AOG websites
    - ii. Based on data, reaching out to identified agencies currently serving predominant minorities or low-income populations
    - iii. Notifying and inviting identified agencies to local and regional coordination and public process opportunities
  - f. UDOT updates the statewide plan from the local reported updates to include the documented needs and gaps from the local AOGs of the low-income and minority populations.
  - g. UDOT provides this information to all known providers within the state. This information is clearly posted on the UDOT PTT website and disseminated to all agency and provider contacts.
  - h. UDOT provides training on an as-needed or requested basis to ensure that all subrecipients are aware of Title VI, are equipped to be in compliance, and are meeting required planning needs. Needs include:
    - i. Reaching out to the public to receive comments on a proposed service or an extension or change to a current service
    - ii. Documenting outreach and planning efforts by subrecipients
3. UDOT has an analytical process that identifies the benefits and burdens of the state's transportation system investments for different socioeconomic groups. This process identifies imbalances and responses to the analyses produced.
- a. The maps and associated data provide each AOG with demographic information for targeted Title VI population segments while displaying the density of these populations within the region. Coupled with the location of providers, trip generators, and recently awarded FTA funds, UDOT and AOGs can begin to strategize and more effectively plan how to provide more meaningful opportunities for participation in the transportation planning process.
  - b. Known providers and providers that have recently been awarded FTA funds are displayed to give the local AOG planners a better perspective on the allocation of funds in relation to the concentration of these populations. The location of major trip generators, including the region's largest employers and hospitals, are also provided.



## **Program Administration**

UDOT maintains documentation of processes for the pass-through of FTA funds under the Enhanced Mobility of Seniors and Individuals with Disabilities (5310), Formula Grants for Rural Areas (5311), Job Access Reverse Commute (JARC), New Freedom, and Bus and Bus Facility (5339) grant programs without regard to race, color, or national origin. In addition, the process is documented to ensure minority populations are not being denied benefits or excluded from participation in these programs.

1. UDOT has a competitive selection process for the 5310 program that annually selects projects that are submitted to FTA as part of its grant applications. The description includes the method used to ensure the equitable distribution of funds to subrecipients that serve predominantly minority and low-income populations, including Utah's Native American tribes.
  - a. UDOT and AOG planners utilize the analyzed documentation to ensure that the socioeconomic populations are notified when FTA funds are advertised annually. Funds are advertised in local papers, by mass mailing, and additional outreach efforts if needed.
  - b. Annual application training is provided in all AOG regions and upon individual requests.
  - c. Applications are received and reviewed for eligibility of entity, eligibility of the project, and completeness of application.
  - d. To ensure funding consideration for all applicants, UDOT provides additional assistance to applicants that need it to bring their application into compliance.
  - e. Eligible applications are returned to local AOG regions for prioritization of projects. All AOGs have a prioritization committee that utilizes criteria to prioritize local applications. Local prioritized projects are returned to UDOT with documented processes to ensure an equitable prioritization process has been followed.
  - f. UDOT then compiles statewide priorities. UDOT reviews the priority lists to ensure that the local documented process has been followed.
  - g. UDOT prioritizes projects and ensures a fair and equitable process is followed and documented.
  - h. UDOT prepares a list of recommended projects and submits it to the Utah Transportation Commission for final approval, as part of UDOT's annual STIP process.
2. Projects for the 5311 and 5339 programs are selected through a collaborative process with the statewide fixed-route providers. A meeting is held annually to review the capital needs, prioritize funding years, and outline projects to be included on the STIP. All fixed-route providers are required to have a capital improvement plan (or equivalent) that identifies projects and approximate years of implementation.
3. UDOT has criteria for selecting transit providers to participate in FTA-funded programs.
  - a. Selection for FTA-funded programs must meet the following three criteria: entity is eligible, project is eligible, and the application for each program is complete.



4. UDOT keeps a record on file of all application requests for Enhanced Mobility of Seniors and Individuals with Disabilities (5310), Formula Grants for Rural Areas (5311), JARC (5316), New Freedom (5317), and Bus and Bus Facility program (5339) funding. The record identifies applicants that use grant program funds to provide assistance to predominantly minority and low-income populations. The record also indicates if the applicants were accepted or rejected for funding.

UDOT staff travel to AOG areas on request to provide training at the local level. UDOT staff also provide individual assistance to agencies upon request, including agencies that serve predominantly minority and low-income populations.

UDOT submits a Title VI plan to FTA every three (3) years in compliance with FTA Circular 4702.1B. The program includes the following items:

1. Copy of the procedures used to certify that the statewide planning process complies with Title VI
2. A description of the procedures the agency uses to pass through FTA financial assistance in a non-discriminatory manner
3. A description of the procedures the agency uses to provide assistance to potential subrecipients applying for funding in a non-discriminatory manner
4. A description of how the agency monitors its subrecipients for compliance with Title VI and a summary of the results of this monitoring

### **Subrecipient Title VI Plans**

All current and future subrecipients are required to have a PTT-approved Title VI plan (see Section 3.6 of this document). To be eligible for funding and applications, agencies must have a PTT-approved Title VI plan. The PTT provides Title VI trainings when FTA requirements change and upon request from an agency. The PTT has Title VI training resources available at: [www.udot.utah.gov/main/f?p=100:pg:0:::1:T,V:4242](http://www.udot.utah.gov/main/f?p=100:pg:0:::1:T,V:4242).

If an agency is also a direct recipient of FTA funds, they are responsible to FTA for Title VI compliance and PTT does not require a PTT-approved Title VI plan. However, the PTT does require documentation of FTA's plan approval.

### **4.3 Equal Employment Opportunity (EEO)**

Federal transit laws (49 USC 5332(b)) provide that "no person in the United States shall on the grounds of race, color, religion, national origin, sex, or age be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any project, program or activity funded in whole or in part through financial assistance under this Act." This applies to employment and business opportunities and is considered to be in addition to the provisions of Title VI of the Civil Rights Act of 1964.



Subrecipients with more than 50 transit-related employees and who receive capital and operating assistance in excess of \$1 million or planning assistance in excess of \$250,000 must meet the EEO program requirements of FTA Circular C4704.1. Construction projects over \$10,000 are also subject to EEO requirements. While Executive Order 11246 does not require construction contractors to develop written affirmative action programs, the regulations do require and specify good faith steps that must be taken by construction contractors to increase utilization of minorities and women in skilled trades.

#### **4.4 Disadvantaged Business Enterprise Program (DBE)**

The USDOT DBE program is its most important tool for ensuring that firms competing for USDOT-assisted contracts and FTA programs are not disadvantaged by unlawful discrimination.

The UDOT Civil Rights office has an established USDOT DBE program that fulfills the requirements of 49 CFR 26. Since federal affirmative action requirements are a condition of federal financial assistance, the regulation states that all local government, USDOT-assisted federal-aid projects (over \$250,000) require a USDOT DBE program (49 CFR 26.21C).

The UDOT PTT establishes annual overall DBE goals every three years for FTA funds. A letter certifying the goal is signed by the UDOT Executive Director and submitted to the FTA Region VIII Civil Rights Liaison. The UDOT PTT reports actual awards and participation in TEAM every six months as required by FTA.

Recipients must submit an overall DBE goal, pursuant to 49 CFR 26.49, if they receive FTA planning, capital, and/or operating assistance, and if they will award prime contracts exceeding \$250,000 in FTA funds in a FFY (exclusive of transit vehicle purchases and transit vehicle manufacturers).

#### **DBE Goal Setting Process**

##### **Step One: Determine a Base Figure**

As stated in 49 CFR 26.45(c), "You must begin your goal setting process by determining a base figure for the relative availability of DBEs."

UDOT utilized the DBE directory and Census Bureau data according to 49 CFR 26.45(c)(1) to determine a base figure. The number of DBEs in each work class was divided by the number of all businesses in that work class to derive a base figure for the relative availability of DBEs for each work class. Because some businesses are counted under multiple NAICS codes, the DBEs were also counted separately in multiple work classes. However, for the purposes of determining the number of DBEs within a single work class, a particular DBE was only counted once. For example, if ABC Concrete is a DBE that is shown under the Operating and Construction NAICS codes, they were counted in each of those different work classes. Likewise, when determining the number of DBEs for Operating and Construction work classes, ABC Concrete would be counted in both. Conversely,





if ABC Concrete is shown in the DBE directory under classification A01 and A02, ABC concrete was only counted once toward Operating and once toward Construction, not twice for each

Weighting is utilized to help ensure that the Step One base figure is as accurate as possible. While weighting is not required, it makes the goal calculation more accurate. UDOT determined expected expenditures in FY2015–2017 by determining what funds are currently obligated and under contract and by looking at UDOT’s current draft POP. The UDOT has not finalized programs of projects for funding beyond FY2012. Therefore, funds which are currently obligated are made up of FY2012 or earlier funds yet to be expended. This amount is well defined. For funding beyond FY2013, the UDOT has draft programs of projects based on known annual apportionments. The UDOT expects FY2013 funds to be expended in FY2015, FY2014 funds to be expended in FY2016, and FY2015 funds to be expended in FY2017. For years which have unknown annual apportionments or programs of projects, UDOT assumed a one percent annual apportionment increase and similar project types to estimate those expenditures. The work classes have been separated into nine different classes which represent all the work classes that the UDOT actively uses. Expected expenditures were summed for each work class for the goal period. A percent of expected expenditures was calculated by dividing the total amount for each work class by the total of all amounts for the work classes, less the transit vehicle amount. Table 2 includes a summary of the expected expenditures for FY2015-2017 using this methodology. The percent of expected expenditures for each work class was then multiplied by the DBE relative availability for each work class to determine a weighted availability for each work class. The following formula describes the base figure calculation for each work class:  $\{(Work\ Class\ DBEs / Work\ Class\ total\ businesses) * percentage\ of\ total\ expenditures\ for\ the\ three\ year\ goal\ period\ in\ that\ Work\ Class\}$ .

The weighted base figures for each work class were summed to determine the final step one base figure, which is shown in Table 1, and it is: 2.75 percent.

### **Step Two: Determine Necessary Adjustments**

As stated in 49 CFR 26.45(d), “Once you have calculated a base figure, you must examine all of the evidence available in your jurisdiction to determine what adjustment, if any, is needed to the base figure in order to arrive at your overall goal.”

Current Capacity (49 CFR 26.45(d)(1)(i)) “The current capacity of DBEs to perform work in your DOT-assisted contracting program, as measured by the volume of work DBEs have performed in recent years.”

UDOT considered past and current contracting practice in the goal setting process. The FTA Program awards funds to subrecipients to assist in their respective programs. In many cases, this involves providing capital funds for planning or mobility management activities. These funding amounts are relatively small and typically less than \$100,000. In other cases, this involves providing non-capital funds for operating or project administration activities. In both cases, it is standard practice in this market area for these activities to be performed by the subrecipients’ own forces



and no work is subcontracted out. This is logical for subrecipients such as association of governments whose main activity is planning or for subrecipients such as transit service providers who already have their own drivers or maintenance crews. The UDOT interprets the intent of 49 CFR 26.51 to limit race and gender conscious goals to contracts with subcontracting opportunities. This does not prevent race and gender neutral participation from prime contractors; however, no association of governments or transit service providers funded by the UDOT are certified DBEs in Utah. Therefore, the UDOT believes it is consistent with 49 CFR 26.45 and 26.51 to adjust our overall goal for these factors. While this factor is not specific to the capacity of DBEs, it is a capacity limitation of the nature of the UDOT FTA Program.

Past participation was also considered in the adjustment of our base figure. The UDOT compiled DBE participation values from the past five years and calculated the median participation value.

As recommended in the Tips for Goal Setting, the final step is to consider the base figure and adjusted figure to determine a final DBE goal percentage. The UDOT considers both adjustments applicable and believes this reflects the current DBE and contracting environment. Based on the methodology and calculations, the UDOT has determined its overall DBE goal for FY2015-2017 to be **0.36 percent** of the total FTA funds the UDOT will expend on FTA-assisted contracts, not including transit vehicle purchase contracts.

### **Calculating Race and Gender Neutral / Conscious Split**

Consistent with the Tips for Goal Setting, past DBE participation and inability to meet past goals are being considered together to determine the race and gender neutral and conscious split. Table 5 summarizes our recent DBE participation split and it shows 27.27 percent of our goal was met with neutral means last year. It also demonstrates our inability to meet our previously established overall goal. Because our proposed goal is significantly reduced from past years, it is not reasonable to rely solely on conscious means. Therefore, the UDOT has determined it is reasonable to expect similar neutral participation as in previous years and splits the goal into 27 percent neutral and 73 percent conscious.

Thus, the proposed goal is split into 0.10 percent race and gender neutral and 0.26 percent race and gender conscious.

UDOT will continuously monitor DBE participation in the FTA Program to determine if the DBE goal will be met on an annual basis and apply race and gender conscious goals appropriately.

### **Public Outreach, Published Notice, and Comments**

Pursuant to 49 CFR 26.45(g)(2), UDOT will publish a notice announcing the proposed overall goal, informing the public that the proposed goal, funding amount and the calculation methodology are available for inspection during normal business hours at the principal office for 30 calendar days following the date of the notice, and informing the public that the UDOT will accept comments on



the goal for 45 calendar days from the date of the notice. The notice will include addresses to which comments may be sent, and will be published in general circulation media and available minority-focused media and trade association publications.

The notice will read:

***Utah Department of Transportation FTA Program Public Notice:***

*The UDOT is currently developing their FFY2015 through 2017 Disadvantaged Business Enterprise (DBE) goal for its FTA Program. The proposed DBE goal and methodology can be found on the UDOT website at [www.udot.utah.gov/publictransit](http://www.udot.utah.gov/publictransit) under the Hot Topics and Quick Links section. It is titled "UDOT FTA DBE FY2015–2017 Proposed Goal and Methodology." A hard copy is available for review at UDOT Program Development, 4501 S 2700 W, 3rd Floor, Salt Lake City, UT 84114. Comments may be provided to the UDOT via email at [publictransit@utah.gov](mailto:publictransit@utah.gov) or via mail addressed to UDOT Program Development, Attn: Public Transit Plans and Programs Director, 4501 S 2700 W, P.O. Box 143600, Salt Lake City, UT 84114-3600. Please include the page number, section number, and a detailed comment with your submission. The document will be available for review from XXX, through and including XXX, and comments will be accepted through XXX. Only comments related specifically to the DBE goal and the development of the goal will be accepted. All other UDOT or DBE-program related comments should be directed to the appropriate contact provided on the main UDOT website.*

The notice will be sent to all the currently approved contractors with UDOT utilizing the contractor listserve. This includes all DBEs that the UDOT currently has email addresses for. In addition, UDOT will also publish the notice in the following mediums:

- Utah Office of Multicultural Affairs Website, Newsroom (<http://heritage.utah.gov/multicultural-affairs/newsroom-3>)
- UDOT Twitter
- UDOT Facebook
- UDOT Blog
- Utahlegals.com
- *Salt Lake Tribune*
- *Vernal Express*
- *San Juan Record*
- *Herald Journal*
- *Deseret News*
- *Richfield Reaper*

### **DBE Goal Setting on Projects**

To meet the DBE goal on a FFY basis, the UDOT FTA Program is currently following these steps for assigning contract goals:



- Review the status of DBE awards and participation to date in the applicable FY and determine if the program is projected to be under or over our overall goal. If the program is projected to be under our overall goal, proceed with the next steps. If the program is projected to meet the overall goal, only race and gender neutral means are used.
- Receive detailed project scope and budget information from the prime contractor (subrecipient). Each activity line item must be identified as being self-performed or subcontracted.
- Review the scope, budget, and list of subcontracted line items and compare it to the current DBE directory to identify DBE opportunities.
- Evaluate the DBE availability and the overall percent of DBE opportunity compared to the total contract amount and apply a race and gender conscious DBE goal.

## **4.5 Section 504 and the ADA**

### **Vehicles**

Titles II and III of the ADA provide that no entity shall discriminate against an individual with a disability in connection with the provision of transportation service. The law sets specific requirements for vehicle and facility accessibility and the provision of service, including complementary paratransit service.

The PTT and subrecipients comply with Section 504 of the Rehabilitation Act of 1973 and the ADA by assuring that no individual is discriminated against in connection with the provision of transportation service. Complaints are handled according to the program complaint procedures described in Section 3.1 of this document. The PTT must ensure that subrecipient-purchased or remanufactured vehicles comply with ADA requirements. In the ADA, 49 CFR 37 and 38 contain accessibility standards and specific requirements for the acquisition of accessible vehicles for public and private entities. PTT policy prohibits the purchase with federal funds of any vehicles that do not comply with ADA. Regardless of service type or whether the vehicle is new or used, all vehicles purchased must be ADA accessible. PTT policy prohibits the conversion of ADA-specific vehicles—purchased for 5310, 5311, 5316, 5317 and 5339 uses—to be used as general-purpose vehicles. When purchasing a vehicle through Section 5310, 5311 or 5339, strict adherence to the ADA is followed in specifications and procurement of equipment.

### **Facilities**

The PTT must ensure that subrecipients comply with ADA requirements when constructing or altering a facility. Any new facility to be used in providing public transportation services must be ADA accessible. If the grantee alters an existing facility to be used to provide public transportation, the altered portions of the facility must be accessible. When the nature of an existing facility makes it impossible to comply fully with accessibility standards, the alterations must be made accessible to the extent feasible.



The PTT must obtain documentation sufficient to support that it has made the facility accessible to the maximum extent feasible or that alterations required to increase feasibility were disproportionate to the level of the alteration.

### **Complementary Paratransit**

The ADA requires public transit agencies that provide fixed-route service to provide “complementary paratransit” services to people with disabilities who cannot use the fixed-route bus or rail service because of a disability. The ADA regulations specifically define a population of customers who are entitled to this service as a civil right. The regulations also define minimum service characteristics that must be met for this service to be considered equivalent to the fixed-route service it is intended to complement.

In general, ADA complementary paratransit service must be provided within three-quarters of a mile of a bus route or rail station, at the same hours and days, for no more than twice the regular fixed-route fare.

While the transit agency is required to provide paratransit for trips with origins and destinations within three-quarters of a mile of a route/station, paratransit-eligible customers who are outside the service area could still use the service if they are able to get themselves into the service area.

### **Demand-Responsive Service**

Demand-response transit service is comprised of vehicles operating in response to calls from passengers or their agents to the transit operator, who then dispatches a vehicle to pick up the passengers and transport them to their destinations. A demand-response operation is characterized by the following:

- The vehicles do not operate over a fixed route or on a fixed schedule, except, perhaps, on a temporary basis to satisfy a special need.
- Typically, the vehicle may be dispatched to pick up several passengers at different pick-up points before taking them to their respective destinations and may even be interrupted en route to these destinations to pick up other passengers.

Route deviation and point deviation systems are defined as demand-response systems, which do not require ADA complementary transit. One key factor to consider in determining if a transit system is fixed route or demand responsive is if an individual has to request the service. To be considered demand responsive, the service must deviate for the general public as well as those with disabilities. The PTT must ensure that deviated fixed-route service provided by subrecipients has the characteristics of demand-responsive service.

## **4.6 Omnibus Transportation Employee Testing Act**

The Omnibus Transportation Employee Testing Act of 1991 mandated the Secretary of Transportation to issue regulations to combat prohibited drug and alcohol misuse in the



transportation industry. These rules are encompassed in 49 CFR 655, Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations.

#### **4.7 Clean Air and Clean Water Acts**

For contracts over \$100,000, clauses are included in each contract requiring adherence to the Clean Air and Clean Water acts.

#### **4.8 Labor Protections**

FTA includes labor protection clauses in contracts relating to operations, rolling stock procurement, and construction.

#### **4.9 Buy America**

It is important to note there are differences between the Buy America Act and the Buy American Act. The Buy America Act does not recognize trade agreements and is more stringent than the latter. For FTA-funded projects, the Buy America regulations apply not only to steel and iron, but also to manufactured products.

#### **4.10 Pre-Award and Post-Delivery Audits**

Pre-award (before contract award) review is required for Buy America compliance. Information submitted from the manufacturer in a bid response includes:

- Proposed domestic content of vehicle components to determine that the 60 percent United States content requirement is met
- Proposed final assembly location
- Manufacturing activities that will take place during final assembly

Post-delivery review requirements (after manufacturing) for the PTT include:

- Review actual component content to ensure that the vehicle meets the 60 percent Buy America domestic content requirement
- Check that the final assembly location is in the United States and the manufacturer's final assembly activities meet the requirements
- Have an on-site inspector for rail car procurements and bus procurements of greater than 10 vehicles

#### **4.11 Charter and School Bus Service**

PTT policy prohibits the use of federally funded equipment for charter or school bus service. Exceptions to the federal regulations are not recognized and may not be used to permit service.

#### **4.12 Drug and Alcohol Testing**



Drug and alcohol testing is required for 5311 service operators. Section 5310 recipients and subrecipients that also receive funding under one of the covered FTA programs (Section 5307, 5309, or 5311) should include any employees funded under Section 5310 projects in their testing program. Service operators are required to establish and implement a drug and alcohol testing program. The PTT has contracted with a specialist to provide drug and alcohol oversight and compliance.

#### **4.13 Restrictions on Lobbying**

For all contracts over \$100,000, subrecipients are required to sign and submit the Certification Regarding Lobbying.

#### **4.14 Government-wide Debarment and Suspension**

Both the grantee and subrecipient are required to verify that the contractor or subcontractor is not excluded or disqualified. The grantee is required to confirm the status of the subrecipient on [www.sam.gov](http://www.sam.gov). The subrecipient is also required to submit certification stating that they are not disqualified.

#### **4.14 Pre-Award Authority**

PTT and UDOT policy prohibits the use of FTA pre-award authority. Only eligible activities performed during the contract period are eligible for reimbursement.

#### **4.15 Federal Motor Carrier Safety Regulations (FMCSR)**

Subrecipients should be aware that Federal Motor Carrier Safety Regulations (FMCSR) apply to a wide spectrum of vehicles, not only vehicles carrying cargo across state lines. The State of Utah has adopted the FMCSR; therefore, all subrecipients must comply with these regulations. If a vehicle has a GVWR over 10,000 pounds or carries 16 or more passengers including the driver, a Class C Commercial Driver's License (CDL) is required and FMCSR likely applies. Subrecipients must be familiar with FMCSR. An entity is required to obtain a USDOT number if they have a vehicle that:

- Has a gross vehicle weight rating or gross combination weight of 10,001 pounds or more
- Is designed or used to transport more than eight passengers (including the driver) for compensation
- Is designed or used to transport more than 15 passengers, including the driver, and is used to carry passengers not for compensation

Although UDOT's Motor Carrier Division performs their own inspections and the PTT is not specifically responsible for ensuring compliance with these regulations, the PTT reserves the right to question subrecipients on FMCSR compliance. The home page for the Federal Motor Carrier Safety Administration (FMCSA) is: [www.fmcsa.dot.gov/](http://www.fmcsa.dot.gov/).



## **FTA Certifications and Assurances**

Subrecipients are required to submit Certifications and Assurances on an annual basis. The PTT submits Certifications and Assurances to FTA annually and these are incorporated into the contract agreements with subrecipients by reference. Therefore, subrecipients are responsible for complying with the requirements of these Certifications and Assurances and must be familiar with them.

### **4.16 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards**

The OMB Circular No. A-133, retitled Audits of States, Local Governments, and Non-Profit Organizations, establishes uniform audit requirements for non-federal entities that administer federal awards and implements the Single Audit Act Amendments of 1996, which were signed into law on July 5, 1996 (Public Law 104-156). OMB Circular No. A-128, Audits of States and Local Governments, issued in 1985, is rescinded, as a result of the consolidation of audit requirements under Circular No. A-133.





## **CHAPTER 5. FTA TRANSIT PROGRAMS MANAGED BY UDOT PTT**

The information in this chapter for Sections 5304, 5310, 5311, 5329, and 5339 is applicable to MAP-21 funding, meaning FFY2013 and beyond. Information in this chapter for Sections 5316 and 5317 is applicable for SAFETEA-LU funding, FY2012 and earlier. For additional information on Sections 5310 and 5311 for SAFETEA-LU funding, please contact the Program Manager.

### **5.1 Section 5303 and 5304 Program**

#### **Section 5303 and 5304 Program**

The Section 5304 Statewide Planning and Research program is part of the UDOT Consolidated Planning Grant (CPG). (Section 5303 is part of the CPG funds awarded to MPO's for planning) and is transferred from FTA to FHWA. These funds are to provide transportation planning activities statewide.

The UDOT Finance and planning Department prepares the MPO awards along with a letter to FTA requesting the 5303 and 5304 funds transfer to FHWA for distribution.

#### **The 5304 process - UDOT's Public Transit Team (PTT)**

##### **Program Goals**

The goal of the Section 5304 program is to facilitate and improve planning activities that support the economic vitality of the area, increase transportation safety and security, increase mobility, enhance the connectivity of the transportation systems, and emphasize preservation of existing systems.

##### **Eligible Subrecipients**

PTT policy awards Section 5304 funds (upon request) to all rural AOGs and rural fixed route systems for local transit planning. Funds are used to meet transportation planning activities and feasibility studies.

##### **Eligible Activities**

Section 5304 funds are used by UDOT staff for statewide transit planning needs for areas outside the urbanized MPO boundaries; conduct transit feasibility studies; provide five-year transit development plans on a regional basis, as needed; and conduct special transit research studies. These funds are also used to identify transit program needs and to develop solutions for short- and long-range transportation plans. Examples include transit feasibility studies, agency capital improvement plans, etc. Funds are utilized by the AOGs around the state to maintain and update their regional coordinated plans (required by Section 5310 to be eligible).



### **Match Requirements**

Funds are apportioned to states by a formula that is based on information received from the latest census and the state's urbanized area as compared with the urbanized area of all states. The UDOT PTT requires the federal share of 80 percent and the local match requirement is 20 percent (in-kind is not accepted).

### **Reporting/Performance Measures**

Reporting requirements have been established according to the 5304 requirements and reports are submitted with each billing reimbursement request from subrecipients.

### **Compliance**

UDOT PTT monitors each contract to make sure it meets the scope of work and meets 5304 planning regulations. Every subcontract is monitored for compliance by reviewing appropriate expenditures and that the expenditures are related to the reporting/performance measures associated in the contract and scope of work.

## **5.2 Section 5310 Enhanced Mobility for Seniors and Individuals with Disabilities**

The Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities program provides formula funding to states for the purpose of assisting with transportation needs of seniors and individuals with disabilities when the transportation service provided is unavailable, insufficient, or inappropriate. MAP-21 combined Section 5317 with Section 5310. Funds are apportioned based on each state's share of population.

### **Program Goals**

The goal of the Section 5310 program is to improve mobility for seniors and individuals with disabilities throughout Utah by removing barriers to accessing transportation services and expanding the transportation mobility options available. Toward this goal, FTA provides financial assistance for transportation services planned, designed, and carried out to meet the special transportation needs of seniors and individuals with disabilities in all areas—urbanized, small urban, and rural. The program requires coordination with other federally assisted programs and services to make the most efficient use of federal resources. . MAP-21 defines a “senior” as an individual who is 65 years of age or older.

### **Eligible Subrecipients**

The PTT administers and provides funding for small urban and rural areas—areas with populations less than 200,000.



Eligible Subrecipients for Traditional Section 5310 Projects. Not less than 55 percent of Traditional 5310 funds shall be available for traditional Section 5310 projects.

- Private nonprofit organization; or
- A state or local governmental authority that:
  - Is approved by a state to coordinate services for seniors and individuals with disabilities; or
  - Certifies that there are no nonprofit organizations readily available in the area to provide the service.

Governmental authorities eligible to apply for Section 5310 funds as “coordinators of services for seniors and individuals with disabilities” are those designated by the state to coordinate human service activities in a particular area. Examples of such eligible governmental authorities are a county agency on aging or a public transit provider which the state has identified as the lead agency to coordinate transportation services funded by multiple federal or state human service programs. If both a non-profit and governmental authority apply for the same eligible project, preference would be given to the non-profit.

**Eligible Activities**

At least 55 percent of Section 5310 funds must be used for public transportation capital projects that are planned, designed, and carried out to meet the specific needs of seniors and individuals with disabilities. The only specific service area restriction is that the PTT only administers funds for the small urban and rural areas. Subrecipients may not purchase service using Section 5310 funds. Charter service, package delivery, and school transportation are not eligible expenses and are prohibited by PTT policy. Meal delivery service is only allowed if it does not conflict with the provision of transit services or result in a reduction of service to transit passengers.

In addition to the above required capital projects, up to 45 percent of an area’s apportionment may be utilized for additional public transportation projects that:

- Exceed the ADA minimum requirements,
- Improve access to fixed-route service and decrease reliance by individuals with disabilities on ADA-complementary paratransit service, or
- Provide alternatives to public transportation that assist seniors and individuals with disabilities with transportation.

**Eligible Capital Expenses That Meet The 55 Percent Requirement**

- Rolling stock and related activities for Section 5310-funded vehicles
  - Acquisition of expansion or replacement buses or vans, and related procurement, testing, inspection, and acceptance costs;



- Preventive maintenance;
  - Radios and communication equipment; and
  - Vehicle wheelchair lifts, ramps, and securement devices.
- Passenger facilities related to Section 5310-funded vehicles
  - Purchase and installation of benches, shelters, and other passenger amenities.
- Support facilities and equipment for Section 5310-funded vehicles
  - Extended warranties that do not exceed the industry standard;
  - Computer hardware and software;
  - Transit-related intelligent transportation systems (ITS);
  - Dispatch systems; and
  - Fare collection systems.
- Lease of equipment when lease is more cost effective than purchase. Note that when lease of equipment or facilities is treated as a capital expense, the recipient must establish criteria for determining cost effectiveness in accordance with FTA regulations, “Capital Leases,” 49 CFR part 639 and OMB Circular A–94, which provides the necessary discount factors and formulas for applying the same;
- Acquisition of transportation services under a contract, lease, or other arrangement. This may include acquisition of ADA-complementary paratransit services when provided by an eligible recipient or subrecipient as defined in section 5 of this chapter, above. Both capital and operating costs associated with contracted service are eligible capital expenses. User-side subsidies are considered one form of eligible arrangement. Funds may be requested for contracted services covering a time period of more than one year. The capital eligibility of acquisition of services as authorized in 49 U.S.C. 5310(b)(4) is limited to the Section 5310 program;
- Support for mobility management and coordination programs among public transportation providers and other human service agencies providing transportation. Mobility management is an eligible capital cost. Mobility management techniques may enhance transportation access for populations beyond those served by one agency or organization within a community. For example, a non-profit agency could receive Section 5310 funding to support the administrative costs of sharing services it provides to its own clientele with other senior individuals and/or individuals with disabilities and coordinates usage of vehicles with other non-profits.

Mobility managers build coordination among existing public transportation providers and other transportation service providers with the result of expanding the availability of service, but not the operation of services. Mobility management activities may include:

- Promotion, enhancement, and facilitation of access to transportation services, including the integration and coordination of services for individuals with disabilities, seniors, and low-income individuals.
- Support for short-term management activities to plan and implement coordinated services.
- Facilitation and coordination of entities and organizations focused on area mobility.



- Operation of transportation brokerages to coordinate providers, funding agencies, and passengers.
- Provision of coordination services, including employer-oriented transportation management organizations' and human service organizations' customer-oriented travel navigator systems and neighborhood travel coordination activities such as coordinating individualized travel training and trip-planning activities for customers.
- Development and operation of one-stop transportation traveler call centers to coordinate transportation information on all travel modes and to manage eligibility requirements and arrangements for customers among supporting programs.
- Operational planning for the acquisition of intelligent transportation system (ITS) technologies to help plan and operate coordinated systems inclusive of GIS mapping; GPS technology; and coordinated vehicle scheduling, dispatching, and monitoring technologies; as well as technologies to track costs and billing in a coordinated system and single smart customer payment systems. (Acquisition of technology is also eligible as a standalone capital expense.)
  - Enhancement of the level of service by providing attendants or assisting riders through the door of their destination
- Capital activities (e.g., acquisition of rolling stock and related activities, acquisition of services, etc.) to support ADA-complementary paratransit service may qualify toward the 55 percent requirement, so long as the service is provided by an eligible recipient/subrecipient as defined in section 5, above, and is included in the coordinated plan.

### **Other Eligible Capital and Operating Expenses**

- General. Up to 45 percent of a rural, small urbanized area, or large urbanized area's annual apportionment may be utilized for:
  - Public transportation projects (capital only) planned, designed, and carried out to meet the special needs of seniors and individuals with disabilities when public transportation is insufficient, inappropriate, or unavailable;
  - Public transportation projects (capital and operating) that exceed the requirements of ADA;
  - Public transportation projects (capital and operating) that improve access to fixed-route service and decrease reliance by individuals with disabilities on ADA-complementary paratransit service; or
  - Alternatives to public transportation (capital and operating) that assist seniors and individuals with disabilities with transportation.
- Operating assistance for required ADA complementary paratransit service is not an eligible expense.



Since the 55 percent requirement is a floor, and not a ceiling, the activities listed above, are eligible expenses for all funds available to a recipient under Section 5310. For example, mobility management and ITS projects may be eligible under both categories; the difference to note, in order for the project to qualify toward the 55 percent requirement, is that the project must meet the definition of a capital project, be specifically geared toward the target population, and carried out by an eligible subrecipient, which is limited for this category of projects. The list of eligible activities is intended to be illustrative, not exhaustive. FTA encourages recipients to develop innovative solutions to meet the needs of seniors and individuals with disabilities in their communities and discuss proposed projects with FTA regional staff to confirm eligibility.

- Public Transportation Projects that Exceed the Requirements of the ADA. The following activities are examples of eligible projects meeting the definition of public transportation service that is beyond the ADA.
  - Enhancing paratransit beyond minimum requirements of the ADA. ADA-complementary paratransit services can be eligible under the Section 5310 program in several ways:
    - Expansion of paratransit service parameters beyond the three-fourths mile required by the ADA;
    - Expansion of current hours of operation for ADA paratransit services that are beyond those provided on the fixed-route services;
    - The incremental cost of providing same day service;
    - The incremental cost (if any) of making door-to-door service available to all eligible ADA paratransit riders, but not on a case-by-case basis for individual riders in an otherwise curb-to-curb system;
    - Enhancement of the level of service by providing escorts or assisting riders through the door of their destination;
    - Acquisition of vehicles and equipment designed to accommodate mobility aids that exceed the dimensions and weight ratings established for wheelchairs under the ADA regulations, 49 CFR part 38 (i.e., larger than 30" × 48" and/or weighing more than 600 pounds), and labor costs of aides to help drivers assist passengers with oversized wheelchairs. This would permit the acquisition of lifts with a larger capacity, as well as modifications to lifts with a 600-pound design load, and the acquisition of heavier duty vehicles for paratransit and/or demand-response service in order to accommodate lifts with a heavier design load; and
    - Installation of additional securement locations in public buses beyond what is required by the ADA.
- Feeder services. Accessible "feeder" service (transit service that provides access) to commuter rail, commuter bus, intercity rail, and intercity bus stations, for which complementary paratransit service is not required under the ADA.



- Public Transportation Projects that Improve Accessibility. The following activities are examples of eligible projects that improve accessibility to the fixed-route system.
  - Making accessibility improvements to transit and intermodal stations not designated as key stations. Improvements for accessibility at existing transportation facilities that are not designated as key stations established under 49 CFR 37.47, 37.51, or 37.53, and that are not required under 49 CFR 37.43 as part of an alteration or renovation to an existing station, so long as the projects are clearly intended to remove barriers that would otherwise have remained. Section 5310 funds are eligible to be used for accessibility enhancements that remove barriers to individuals with disabilities so they may access greater portions of public transportation systems, such as fixed-route bus service, commuter rail, light rail, and rapid rail. This may include:
    - Building an accessible path to a bus stop that is currently inaccessible, including curbscuts, sidewalks, accessible pedestrian signals, or other accessible features;
    - Adding an elevator or ramps, detectable warnings, or other accessibility improvements to a non-key station that are not otherwise required under the ADA;
    - Improving signage or wayfinding technology; or
    - Implementation of other technology improvements that enhance accessibility for people with disabilities including ITS.
  - Travel training. Training programs for individual users on awareness, knowledge, and skills of public and alternative transportation options available in their communities. This includes travel instruction and travel training services.
- Public Transportation Alternatives that Assist Seniors and Individuals with Disabilities with Transportation. The following activities are examples of projects that are eligible public transportation alternatives.
  - Purchasing vehicles to support accessible taxi, ride-sharing, and/or vanpooling programs. Section 5310 funds can be used to purchase and operate accessible vehicles for use in taxi, ride-sharing, and/or vanpool programs provided that the vehicle meets the same requirements for lifts, ramps, and securement systems specified in 49 CFR part 38, subpart B, at a minimum, and permits a passenger whose wheelchair can be accommodated pursuant to part 38 to remain in his/her personal mobility device inside the vehicle.
  - Supporting the administration and expenses related to voucher programs for transportation services offered by human service providers. This activity is intended to support and supplement existing transportation services by expanding the number of providers available or the number of passengers receiving transportation services. Vouchers can be used as an administrative mechanism for payment of alternative



transportation services to supplement available public transportation. The Section 5310 program can provide vouchers to seniors and individuals with disabilities to purchase rides, including: (a) mileage reimbursement as part of a volunteer driver program; (b) a taxi trip; or (c) trips provided by a human service agency. Providers of transportation can then submit the voucher for reimbursement to the recipient for payment based on predetermined rates or contractual arrangements. Transit passes or vouchers for use on existing fixed-route or ADA complementary paratransit service are not eligible. Vouchers are an operational expense which requires a 50/50 (federal/local) match.

- Supporting volunteer driver and aide programs. Volunteer driver programs are eligible and include support for costs associated with the administration, management of driver recruitment, safety, background checks, scheduling, coordination with passengers, other related support functions, mileage reimbursement, and insurance associated with volunteer driver programs. The costs of enhancements to increase capacity of volunteer driver programs are also eligible. FTA encourages communities to offer consideration for utilizing all available funding resources as an integrated part of the design and delivery of any volunteer driver/aide program.

### **Match Requirements**

The match or local share, its amount, and composition are declared at the time of contract negotiation.

The federal share of eligible capital costs may not exceed 80 percent of the net cost of the activity, leaving the local share of capital costs at no less than 20 percent of the net cost of the activity. The PTT does not allow higher federal share rates for bicycle access and transport or for vehicle-related equipment. The federal share of eligible operating costs may not exceed 50 percent of the net cost of the activity, leaving the local share of operating costs at no less than 50 percent.

The PTT does not allow use of a sliding scale based on the ratio of designated state public land areas to the total state area. The local share may be provided from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, a service agreement with a state or local service agency or private social service organization, or new capital. Some examples of these sources of local match include: state or local appropriations, dedicated tax revenues; private donations, revenue from service contracts, toll revenue credits, and net income generated from advertising and concessions. In addition, the local share may be derived from federal programs that are eligible to be expended for transportation, other than USDOT programs, or from USDOT's Federal Lands Highway Program. Examples of types of programs that are potential sources of local match include: employment, training, aging, medical, community services, and rehabilitation services. The PTT does not allow the use of in-kind sources as local match.





## **Reporting/Performance Measures**

The purpose of reporting is to ensure that the federal investment is being well maintained, safe, and unbiased in service. The federal government requires that agencies report for the useful life of equipment and until the vehicle has less than a \$5,000 resale value. At that point, the title will be given to the Subrecipients and the lien released. During the useful life period, the Subrecipients are responsible for reporting various information regarding expenses, ridership, maintenance, and usage/activity through the course of the year. Reports include:

- Quarterly report
- Surveillance report
- Preventive maintenance
- Accidents/Incidents

### **Quarterly Report**

The quarterly report is a Subrecipients responsibility until the PTT releases the title. As the name implies, these reports are due at the end of each quarter. See due dates in Table 5.1, below.



**Table 5.1: Quarterly Report Due Dates**

Quarter #	Date	Report Due Date
Quarter 1	October 1 – December 31	January 15
Quarter 2	January 1 – March 31	April 15
Quarter 3	April 1 – June 30	July 15
Quarter 4	July 1 – September 30	October 15

The report, generated via PTT Online, includes the following (report is also found online):

- Number of days out of the quarter the vehicle(s) was in service
- Total hours driven
- Operating costs (including salary, fuel, maintenance, repairs, insurance, etc.)
- Number of requests for services denied
- Explanation per denial
- Number of one-way trips (each time a passenger boards) for seniors and/or individuals with disabilities over 65 years of age
- Number of one-way trips for individuals with disabilities under 65 years of age
- Total number of one-way trips
- End of quarter odometer reading
- Coordination with other agencies

### Surveillance Report

The surveillance report requires the Subrecipients to thoroughly review the vehicle(s) and all accessories (lifts, signage, securements, etc.). The report is generated via PTT Online and must be completed and sent to the Compliance Officer twice a year, by April 15 and October 15 (see Table 5.2).

**Table 5.2: Surveillance Report Due Dates**

Report	Report Due Date
Surveillance Report #1	April 15
Surveillance Report #2	October 15

Table 5.3, below, is the inspection section of the report. All items must be inspected. If an item is not applicable, the Subrecipients must enter N/A. If an item is not in good working order, “F” (fail) must be selected. If an item is working appropriately, “P” (pass) must be selected. The # (number) indicates the number of days that the Subrecipients have to respond/fix an issue. If a “0” is selected, the issue must be fixed immediately and the vehicle must not be used until the problem is fixed.



**Table 5.3: Surveillance Inspection Form**



**5310 VEHICLE SURVEILLANCE INSPECTION**

DATE: \_\_\_\_\_

TRANSPORTATION PROVIDER NAME: \_\_\_\_\_

Make	Vehicle Year	V.I.N. (last 4 digits)	Plate Number	Odometer
Documents kept in vehicle (please check if present) *Registration <input type="checkbox"/> *Insurance Card <input type="checkbox"/> *DMV Inspection Sticker <input type="checkbox"/>				

All items must be inspected. If an item is not applicable to this vehicle, place "N/A" in the adjacent box.  
Check "✓" appropriate box P = Pass F = Fail # = number of days to correct failure

EXTERIOR	P	F	#	SAFETY EQUIPMENT	P	F	#	INTERIOR	P	F	#
Body damage			-	Triangles (3)			1	Mirrors			2
Windows			2	First Aid Kit			2	Lights			3
*2 Outside Mirrors			0	Bloodborne Pathogen Kit			3	Horn			2
Reflector/marker/clearance			2	Seat belt cutter			5	Seats			2
*Turn Signals			0	Extra electrical fuses			5	*Seat Belts			0
*Four Way Flashers			0	Fire Extinguisher			2	AC/Heat/Defroster			2
*Tires front 4/32 rear 2/32			0	Rear door buzzer			3	*Wipers			0
*Headlights high and low			0	Exit windows/buzzers			3	Gauges and Indicators			2
*Parking lights			0	Roof Hatch			3	*Brakes (Foot/Parking)			0
*Brake lights			0	Spare Tire/Jack/Lug Wrench			3	Cleanliness			2
Cleanliness			2								

SIGNAGE	P	F	#	LIFT	P	F	#	SECUREMENTS	P	F	#
Buckle Up (or equivalent)			5	*Interlocks			0	*Belt (4 or 8 floor)			0
Emergency Exits			3	Level Platform			3	*Lap Belt			0
Lift Operating Instructions			5	Lift Light			1	*Shoulder belt			0
Vehicle Height			5	*Electric Wires (cut, frayed)			0				
				*Hand Pump			0				
				Hand Rails on Lift (2)			1				

Comments and Observations of Inspector:

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Items that are **\*bolded** may be placed out of service for failing inspection. The vehicle may not be returned to service until defect is repaired and the Agency Administrator is notified of the repairs. Body damage depending on severity should be repaired as soon as possible.

Agency Administrator:

Inspector:

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Signature: \_\_\_\_\_

This document can be completed by agency personnel and is a tool for you to monitor the maintenance source you are using. For questions, please contact Ray Earl, PTT Program Compliance Officer, 801-232-0780. Inspections are to be performed on April 1 and October 1 and the completed inspection entered into PTT Online at:  
<https://www.udot.utah.gov/public/ptt/f?p=131:101:1166169282072515>



The Compliance Officer is required to follow up immediately if a “0” is selected, within the number of days indicated, to verify that the problem has been addressed. If the problem has not been addressed within that time period, the vehicle is required to be grounded until the Subrecipients have addressed the problem.

### **Preventive Maintenance**

PTT policy requires preventive maintenance to be performed at the intervals shown in the approved maintenance plan. Whenever preventive maintenance is performed, Subrecipients are required to complete the preventive maintenance report in PTT Online. The report includes entering the date and mileage when the maintenance was done. PTT Online compares the mileage to the scheduled mileage and provides PTT staff notification if requirements are not met.

### **Annual Report**

Two similar reports—the Ride Report and Gaps in Service Report—are submitted with the annual milestone report for Section 5310.

The Ride Report consists of service information and operating costs. The following items are included for each agency: vehicle count, titles released for that year, number of days, hours, and miles of service provided, total trips broken out by type, service denials, and total operating costs for the year. This is the “Performance Measures” report on the “Reports” tab in PTT Online.

The Gaps in Service Report contains each agency’s address, counties served, the number of people (population) eligible for Section 5310 service, and the total number of trips provided for the year. This report is started as an “Interactive Report” in PTT Online. “Counties served” is not collected in PTT Online and must be reported by contacting the agency. Population data is added from the most recent census. Estimated trips are added by appending the data from the Ride Report.

Both reports are converted to PDFs and attached to the milestones report in FTA’s web-based system. They are saved on the UDOT ‘T’ drive at: T:\Programs\5310\Milestones inside the appropriate year’s folder.

### **Compliance**

FTA looks to the states to ensure Subrecipients are compliant with federal and state regulations. For the eligible activities in this program, this includes compliance in areas such as procurement, asset management (use, protection, maintenance, etc.), civil rights and Title VI, ADA, and DBE. The PTT requires all Subrecipients to follow PTT’s policies and procedures. As part of PTT’s compliance program, site visits and inspections are performed for each Subrecipients at least biennially.

### **Site Visit and Inspection**

Site visits and inspections are performed by the Compliance Officer and include a comprehensive review of the funded activities. The purpose of the site visit is to verify that each facility and vehicle is being used for the intended purpose; procurement documentation is being maintained;



maintenance is being performed and is effective; Title VI posters are current and posted in necessary areas; ADA features are adequate and functioning properly; insurance and registration are current and adequate; and an opportunity for technical assistance is provided for the Subrecipients. The Compliance Officer is always available and is expected to provide assistance as needed.

The Compliance Officer will contact each Subrecipients at least three days in advance to schedule site visits and inspections. The PTT understands schedules are demanding and will work with Subrecipients to establish convenient dates and times; however, Subrecipients are expected to be in compliance at all times and the PTT may perform unannounced site visits and inspections. As part of the scheduling process, the Compliance Officer will provide an agenda. Typical activities include, but are not limited to, reviewing Title VI posters and locations; performing surveillance inspections on vehicles including inspection of ADA features; riding along on vehicles during service hours; interviewing drivers; reviewing documentation for procurement, maintenance, and usage of equipment; reviewing insurance documentation; and reviewing DBE documentation. A representative of the Subrecipients must be available during the site visit to answer questions and provide documentation as requested.

In conjunction with the site visit, the Compliance Officer may request copies of documentation for the PTT's files. Additionally, any findings of PTT Online report reviews will be reviewed and discussed with the Subrecipients for feedback, technical assistance, and troubleshooting. Once the site visit and inspection is complete, the Compliance Officer documents the findings in a final report that is then sent to the Subrecipients and Program Manager. Any follow-up items with time frames for responses are identified in this report. It is the Subrecipients responsibility to address items requiring follow-up. It is the Compliance Officer's responsibility to track and verify follow-up items are addressed and documented.

### **Reporting and Day-to-Day Oversight (Alerts Generated by PTT Online)**

As described below, three alerts are generated by PTT Online and e-mailed to the Compliance Officer: the low vehicle usage alert, preventive maintenance alert, and accident/incident alert. The goals of these alerts are to:

- Quickly identify and correct problems
- Identify issues and patterns (consistent issues)

#### **Low Vehicle Usage Alert**

Daily usage reports must be entered into PTT Online to ensure that vehicles are being used as they were originally intended. This data is intended to be entered daily. Required information includes:

- Miles driven
- Number of passengers
- Type of passengers (e.g., over the age of 65, younger than 65, low income, persons with disabilities)



If the vehicle has been idle for more than seven days, PTT Online sends an email alert to the PTT. The Compliance Officer must review the usage data in PTT Online and compare recent usage to the estimated usage in the funding application. If usage is well below the estimate or the Compliance Officer believes there is an issue, the Compliance Officer must contact the Subrecipients to inquire about the lack of vehicle usage and/or updates.

#### Preventive Maintenance Alert

The Preventive Maintenance Alert is logged into PTT Online by the client, and a hard copy is maintained by the Subrecipients. The PTT either provides a maintenance plan based on manufacturer's recommendations or the Subrecipients can submit their own plan for approval. All plans must meet the minimum manufacturer requirements for maintenance. If the Subrecipients opts to use a PTT-provided plan, the Subrecipients will be responsible for submitting all manufacturer requirements to PTT for plan development. A binder with a detailed maintenance schedule will be given to each Subrecipients as they take possession of the vehicle. The Subrecipients is responsible for ongoing maintenance and entering all of the required data into the PTT Online maintenance module. When preventive maintenance is not performed on schedule, an e-mail alert is sent to the Compliance Officer and Subrecipients. The Compliance Officer must follow up with the Subrecipients to ensure preventive maintenance is performed immediately.

The Subrecipients is expected to have the necessary maintenance performed immediately and enter the required information into PTT Online. Ongoing non-compliance is addressed in Chapter 3 of this document.

#### Accident/Incident Alert

##### *Minor Accidents/Incidents*

The Subrecipients is required to enter information into PTT Online and an e-mail alert is sent to the Compliance Officer. The Compliance Officer must then complete the following tasks:

- Contact the Subrecipients and set a deadline for repair (possibly require photos or on-site visit)
- Follow up on deadline
- Follow up on insurance proceeds (for totaled vehicles, FTA requires the 80 percent payback if the totaled vehicle payout is above \$5,000).

##### *Serious Accidents/Incidents*

The definition of a serious accident as outlined by FTA includes but is not limited to those involving a fatality or any accident that results in serious injury. The definition of a serious incident as outlined by FTA includes, but is not limited to, damaged transit equipment and/or facilities or suspension of regularly scheduled transit service caused by a natural disaster. In the case of a serious accident and/or incident, the Subrecipients must contact the PTT Director or any other PTT staff immediately. If an accident involves a total loss of property or a potential lawsuit, the PTT will notify FTA Region VIII. The PTT will complete the same tasks as in the case of a minor accident. An



accident reporting form should be available in each vehicle. The form should be filled out at the scene and given to the County Insurance Coordinator.



Accident/incident information includes:

- Date of occurrence
- Time of occurrence
- Location of occurrence
- Description of occurrence
- Copies of witness reports
- Number of fatalities
- Number of persons injured
- Extent of injuries
- Extent of damages
- Photographs of damage
- Copy of police report
- Copy of insurance information
- Drug and alcohol test report
- In case of incident if any assistance is required from UDOT

### **Vehicle Policies**

FTA and the PTT require adherence to the following vehicle “use” policies:

- Bus modifications (e.g., adding a hitch): All bus modifications require approval from the PTT Director. Typically, special modifications to the bus need to be included in the final specification list prior to construction.
- Service Animal: If the animal is a service animal, then it is allowed. All other pets are not allowed.
- Transportation of government officials to government business is allowed. While charter service is not allowed, a Subrecipients may provide up to 80 hours of service for government officials to government-related events.
- Fees: Fees cannot be charged for service, but donations can be requested or a donation box can be located in the vehicle.
- Lending the vehicle to other agencies: Lending a vehicle is allowed as long as the service and/or routes are not affected.
- Natural disasters: The vehicle may be used for other purposes during natural disasters.
- Attendants: Attendants are allowed as needed.
- School bus service: Utilization of vehicles for school bus service is not allowed by the PTT.
- CDL: A CDL is required for vehicles carrying more than 15 passengers, including the driver, or vehicles with a GVWR over 26,000 pounds. Bus drivers must also have passenger endorsements for their licenses. Transit, intercity, and motor coach operators must have a passenger vehicle (P) endorsement, while school bus drivers must have both a passenger (P) and a school bus (S) endorsement. Both of these endorsements require a passing score on knowledge and skills tests administered by the state licensing agency or partner institution.





## **New Vehicles**

The PTT requires each Subrecipients to relinquish physical possession of the title or ownership document to the PTT for the duration of the useful life. In addition, the PTT secures property liens to protect the federal share of the vehicle. The lien will be released when the useful life has expired. When funding is provided for the rehabilitation of vehicles, the PTT may choose to obtain the vehicle title and place a lien on the property.






## **Useful Life**

Useful life indicates the expected lifetime of capital purchases, or the acceptable period of use in service. When the useful life and disposal requirements have been met, the PTT returns the vehicle title or ownership documents to the Subrecipients and cancels its lien.

Useful life of vehicles begins on the date the PTT takes possession of the vehicle and continues until the vehicle reaches the useful life minimum criteria outlined in Table 5.4, on the following page. The useful life minimum refers to total time or miles in revenue service, not time spent stockpiled or otherwise unavailable for regular transit use.

PTT, at its discretion, may extend useful life of capital purchases. Situations, including non-compliance of Federal and/or PTT regulations and contracts, non-use of equipment, low vehicle miles and inconsistent maintenance, are examples of where by PTT may extend a vehicles useful life. For non-vehicle equipment, the PTT determines useful life standards on a case-by-case basis that reflects the manufacturer's estimated useful life.

**Table 5.4: Vehicles Types and Useful Life**

PTT Category	Photo	Approx. GVWR	Number of Seats	Approximate Length	Useful Minimum Life
A: Large, Heavy-Duty Transit Bus and Articulated Buses		33,000 – 40,000 lbs.	35 – 40+	35 – 40 ft. or greater	12 years or 500,000 miles
B. Medium-Size, Heavy-Duty Transit Bus		26,000 – 33,000 lbs.	25 – 35	30 – 35 ft.	10 years or 350,000 miles
C. Medium-Size, Medium-Duty Transit Bus & Truck Chassis Cutaway Bus		10,000 - 26,000 lbs.	16 – 30	25 – 30 ft.	7 years or 200,000 miles
D. Medium-Size, Light-Duty Bus & Van Chassis Cutaway Bus		10,000 – 16,000 lbs.	12 – 16	20 – 25 ft.	7 years or 150,000 miles
E-1: Small, Light-Duty Bus E-2: Modified Vans E-3: Modified Minivans (33,000 – 40,000 lbs.) E-4: Vans E-5: Minivans E-6: Station Wagons E-7 Sedans		6,000 – 14,000 lbs	3 – 14	E-1: 20 – 22 ft. E-2: < 20 ft. E-3: < 20 ft. E-4 through E-7: < 20 ft.	5 years or 100,000 miles



## Rehabilitated Vehicles

The PTT does not allow for the procurement of rehabilitated vehicles.

## Other Equipment

For other equipment with an acquisition value greater than \$5,000, the PTT determines useful life standards on a case-by-case basis that reflects the manufacturer's estimated useful life. The subrecipient should propose a useful life in its project proposal.

## Disposal

UDOT will release the lien when the useful life and disposition standards have been met and any non-compliance findings are resolved. The federal interest expires when the property reaches its useful life and the vehicle value is less than \$5,000. These requirements exist to protect the federal interest and to maintain continuing control over property

## Selling Prior to Meeting the Useful Life.

If a subrecipient desires to dispose of the property before it meets the end of its useful life, and an alternative use cannot be found as described above, the property may be sold with the PTT and FTA approval. The subrecipient must submit a request to the PTT. If a sale is approved by the PTT, proceeds do not need to be returned to the PTT or FTA; however, all proceeds must continue to be used for public transportation purposes within the program from which it originated.

The UDOT PTT will apply a straightline depreciation formula to vehicles to determine the depreciated value of Federally funded vehicles.

Example Straightline Depreciation			
<b>Cost</b> (purchase price)	\$48,000		
<b>Salvage</b> (estimated value)*	\$7,900		
<b>Life</b> (years in service)	5		
<b>Depreciation</b> ((cost-salvage) / life)	\$8,020.00		
yr	vehicle value	vehicle depreciation	depreciated value
1	\$48,000	\$8,020	\$39,980
2	\$39,980	\$8,020	\$31,960
3	\$31,960	\$8,020	\$23,940
4	\$23,940	\$8,020	\$15,920
5	\$15,920	\$8,020	\$7,900



6	Less than \$5,000
*based on estimated value - commercialtrucktrader.com	

If the subrecipient receives insurance proceeds when the property has been lost or damaged by fire, casualty, or natural disaster, the subrecipient must apply those proceeds to the cost of replacing the property or return to the PTT an amount equal to the remaining federal interest in the property.

### **Selling After the Useful Life**

Prior to selling the vehicle, the subrecipient must notify the PTT of its intent. The PTT will work with the subrecipient to identify the value of the vehicle. The PTT will apply the straightline depreciation formula above to assist in determining the depreciated value of Federally funded vehicles.

If the subrecipient chooses to sell the vehicle, and the market value of the vehicle is \$5,000 or more, the PTT requires reimbursement of the proportionate share (80% Fed/20% Local) of the net proceeds from the sale. Reimbursed proceeds will go back into the grant program from which the vehicle funds were utilized. The funds will then be shown in future grant applications. FTA has no federal interest in vehicles with a fair market value of less than \$5,000.



## **Rolling Stock Procurement Requirements**

Rolling stock (buses, vans) is the PTT's largest procurement type. In an effort to obtain the best deal possible for its Subrecipients, the PTT contracts with a bus vendor for a three- to five-year term. To contract with a vendor, the Section 5310 Program Manager must complete the following process (additional information is found in the UDOT PTT Procurement Guide at:

[www.udot.utah.gov/main/f?p=100:pg:0:::1:T,V:3417](http://www.udot.utah.gov/main/f?p=100:pg:0:::1:T,V:3417)):

5. The Program Manager writes (or has a contractor write) detailed vehicle specifications for a public bid.
6. The Program Manager identifies a list of potential vendors that may want to submit a bid.
7. The Program Manager submits the details of the procurement and vehicle specifications in the Procurement Services Online system  
<https://app.udot.utah.gov/procurement/psa/f?p=126:1>.
8. The Program Manager ensures that all federal clauses and certifications are included (see also PTT Procurement Guide).
9. UDOT Procurement forwards the submitted information to the State Procurement Office to post the bid on BidSync.
10. The Program Manager checks [www.sam.gov](http://www.sam.gov) to verify that the apparent successful bidder is not on the excluded parties listing.
11. The Program Manager and Compliance Officer collect and review required documentation and complete the pre-award audit and certifications. They must use the most current New Vehicle Information form, which includes the pre-award certifications.
12. The chosen vendor works with the Program Manager to identify the most efficient system of placing Subrecipients orders.
13. The vendor identifies several seat configurations and interior color schemes for the Subrecipients to choose from.
14. The Program Manager works with the Subrecipients to identify seat configuration and colors, restraint type/location, etc., for order. The Subrecipients must sign a master sheet with configuration and color scheme.
15. The Program Manager executes the contracts with Subrecipients (must have contract prior to submitting an order). The Program Manager or Compliance Officer completes the procurement review checklist before executing a contract. The review document must be filed with the procurement documentation for that contract.
16. The Program Manager submits all orders to the vendor. Unless a change has occurred in the floor plan or vehicle configurations, the pre-award audit and certifications done before contract award with the vendor will be sufficient as pre-award documentation. If there is a change in configuration for a particular vehicle order, pre-award audits and certifications will be completed before the order is officially placed.
17. Before the PTT accepts vehicles and the Subrecipients picks them up, the PTT Program Manager and Compliance Officer perform detailed post-delivery audits for purchaser requirements, Buy America if applicable, and Federal Motor Vehicle Safety Standards



(FMVSS). The PTT has developed checklists for these audits based on the vehicle specifications. Once the audit is complete and the PTT has determined the vehicles are compliant, the post-delivery certifications are completed and filed with the vehicle's title and registration information according to the current filing system.

18. Each vendor handles vehicle pick-up, temporary tags, and registration differently. The Program Manager must work closely with the vendor to identify the most efficient system to ensure a seamless delivery. (Note that buses are typically manufactured on demand, thus taking three to four months for delivery.)

### **Subrecipients Vehicle Contracts**

Although the PTT has a contract with a rolling stock vendor, Subrecipients are required to sign a contract with the PTT as well for the anticipated federal funds. The contract should include the chosen specifications or a copy of the signed master sheet. Contracts must be signed prior to placement of a vehicle order.

### **Pre-Award/Post-Delivery Audits**

FTA requires all recipients of federal funding who are procuring rolling stock to perform pre-award and post-delivery audits to ensure compliance with all pertinent federal regulations. The pre-award audit is performed once the low bidder has been identified and before any contract is awarded. The post-delivery audit occurs after the vehicle has been delivered and verifies that the contractor met all the necessary requirements.

#### **Pre-Award Audit**

Prior to awarding the contract to a supplier, the party performing the procurement is responsible for ensuring a pre-award audit is completed. This audit is required prior to contract execution with the supplier. The audit includes a certification that both Buy America and the purchaser's requirements are satisfied. The certifications must be completed by the party performing the procurement. The purchaser should not pay 100 percent of the vehicle purchase price until they are certain the vehicle meets their specified requirements.

#### ***Buy America Certification***

Prior to signing a contract, the Program Manager must have a certification on file from the manufacturer verifying that the rolling stock will contain a minimum of 60 percent domestic products by cost and that final assembly will take place in the United States, or an exemption certification indicating that UDOT has a letter from FTA granting a waiver from the Buy America requirement. This certification may be obtained from the broker to whom the rolling stock contract may be given. The broker will obtain the certification from the manufacturer identified in their contract. Buy America requirements only apply to Subrecipients receiving more than \$100,000 through one application.

#### ***Purchaser Requirement***

Prior to signing a contract, the Program Manager must complete a pre-award purchaser's certification verifying that the manufacturer's bid specifications comply with the PTT's solicitation



requirements and that the proposed manufacturer is capable of building the rolling stock to the solicitation requirements.

#### *FMVSS Certification*

Prior to signing a contract, the Program Manager must receive certification that the rolling stock will comply with the relevant FMVSS issued by the National Highway Traffic Safety Administration.

#### Post-Delivery Audit

Prior to transferring the title to the Subrecipients, multiple steps must be completed. The party performing the procurement must complete the audit and complete certifications for Buy America, purchaser requirements, and FMVSS. If the Subrecipients performed the procurement, the Subrecipients are required to complete these steps (e.g., UTA). Copies of certifications must be submitted to UDOT.

#### *Buy America Certification*

The Project Manager must obtain proper documentation for the certification, which includes disclosure by the manufacturer of the final assembly location; a listing of the component and subcomponent parts; the cost (actual or percent of total) of such components and subcomponents and the country of origin; a description of final assembly activities; and the cost of final assembly. Final assembly costs are not to be included when calculating the percent domestic content of the vehicle. The grantee or an independent third party must conduct the Buy America audits. The audit may be based on information provided by the manufacturer; however, certification by the manufacturer is not adequate.

#### *Purchaser Requirement*

Once the vehicles arrive on-site to the broker, the Program Manager must complete a post-delivery purchaser's requirement certification verifying that buses meet the contract specifications. The Program Manager will complete a thorough visual inspection of all major components, including:

- All auxiliary components, such as wheelchair lifts/securements and air conditioners, are on the vehicle and working properly.
- The seating configuration is as specified, including designated mobility-aid seating areas.
- All chassis components are as specified.
- The vehicle is properly undercoated and rust-proofed.
- All manuals and warranty information are included.
- The vehicle meets all ADA requirements.
- A certification is required from the party performing the procurement certifying the audit was performed and meets minimum requirements. Audit documentation must be maintained with the certification.

The PTT has developed a checklist of specifications for each vehicle procurement it performs to assist in the purchaser requirement audit. A field test will be completed during a Subrecipients vehicle pick-up.



### **FMVSS**

The Program Manager must certify that they received a copy of the manufacturer's self-certification that the rolling stock complies with FMVSS standards. The Program Manager will ensure during the visual inspection that the required FMVSS sticker is in place on the driver-side door.

Additional details regarding the FMVSS pre-award and post-delivery rules are found on the FTA website at: [www.fta.dot.gov/legislation\\_law/12921\\_5423.html](http://www.fta.dot.gov/legislation_law/12921_5423.html). In addition, Appendix E of the PTT Procurement Guide has copies of all required pre-award and post-delivery certifications.

Upon vehicle inspection approval, Subrecipients are invited to attend New Vehicle Training (conducted by the Compliance Officer) and vehicle pick-up at the vendor's facility. Items addressed at the meeting include:

- Reporting/compliance requirements
- PTT Online training

Subrecipients are required to bring the following items to the New Vehicle Training:

- 20 percent local match check
- Insurance verification
- Copy(ies) of registration (to be provided to the PTT once the vehicle is registered)

The Compliance Officer enters the following vehicle information into PTT Online:

- Start date
- License plate number
- Vehicle start date begins useful life period (see Useful Life discussion on p. 43)

### **Lien Release**

Subrecipients must include UDOT as a lien holder when completing registration, insurance, and other forms. The lien or covenant will be released when the useful life and disposition standards have been met and any non-compliance findings are resolved. The federal interest expires when the property reaches its useful life and the vehicle value is less than \$5,000. These requirements exist to protect the federal interest and to maintain continuing control over property. The lien release process includes:

1. Review PTT Online and vehicle information in June and December of each year to identify vehicles ready to be released.
2. Send a copy of a promissory note to the Subrecipients to sign, date, and return to the PTT.
  - a. Promissory notes states that if the vehicle is sold, all sales proceeds will go back into public transportation-related services (see Section 3.5 of this document).





3. Pull the title (the title is in the Compliance Officer's files) and have the Comptroller sign the title release; make front and back copies of the title.
4. Mail the title and lien release letter to the Subrecipients. The Subrecipients will take this information to the DMV to obtain a new title.
5. Update PTT Online to reflect the lien release and deactivate it in the system.
6. All vehicle information will be filed on the UDOT PTT 'T' drive for a minimum of three years. Subrecipients must also retain files for a minimum of three years.

### **5.3 Section 5311 Formula Grants for Rural Areas**

The Section 5311 Formula Grants for Rural Areas program provides formula funding for the purpose of supporting public transportation for people living in areas with populations less than 50,000. MAP-21 combined Section 5316 with Section 5311. Section 5311 includes formula funding to states to support the development and maintenance of job access and/or reverse commute projects designed to transport welfare recipients and eligible low-income individuals to and from jobs and activities related to their employment. These grant funds are intended to provide capital and operating assistance within rural areas (populations less than 50,000).

#### **Program Goals**

The goals of the rural formula program are to:

- Enhance the overall mobility of people living in rural areas, Section 5311 projects may include transportation to and from
- Enhance the access of people in non-urbanized areas to healthcare, shopping, education, employment, public services, and recreation
- Assist in the maintenance, development, improvement, and use of public transportation systems in rural and small urban areas
- Encourage and facilitate the most efficient use of all federal funds used to provide passenger transportation in non-urbanized areas through the coordination of programs and services
- Assist in the development and support of intercity bus transportation
- Provide for the participation of private transportation providers in non-urbanized transportation to the maximum extent feasible
- Improve access to transportation services to employment and employment-related activities for eligible low-income individuals
- Transport residents of urbanized areas and non-urbanized areas to suburban employment opportunities

#### **Eligible Subrecipients**

Eligible subrecipients for the Section 5311 program include:

- State or local governmental authority, which is defined as the following:
  - A political subdivision of a state



- An authority of at least one state or political subdivision of a state
  - An Indian tribe, both federally recognized and other Indian tribes
  - A public corporation, board, or commission established under the laws of a state
- Private non-profit organizations
- Operators of public transportation or intercity bus service that receive FTA grant funds indirectly through a recipient

Note that private for-profit operators of public transit services or intercity bus services may participate in the program as third-party contractors for direct subrecipients.

PTT requires potential applicants to conduct and document a feasibility study with, but not limited to, the following documentation:

- The need for a public transportation system in the planning area
- Community support for a public transportation system
- The extent of commitment from local organizations and existing transportation providers to coordinate services
- Documentation of projected revenues and expenses
- Financial and managerial capabilities of the applicant
- The extent to which the project will comply with federal regulations concerning EEO, Title VI, DBE, Section 13(c), and Section 504/ADA

### **Eligible Activities**

FTA defines eligible service areas for the rural program as those areas outside urbanized and small urban areas. Funds may be used for public transportation projects and intercity bus transportation projects in any area outside of an urbanized and small urban area. Areas not currently within these areas are eligible for Section 5311 funding even if they are included within the metropolitan area planning boundary, which includes the surrounding area expected to be urbanized within 20 years and/or the air quality non-attainment boundary.

Since the goal of Section 5311 is to enhance the overall mobility of people living in rural areas, Section 5311 projects may include transportation to and from urbanized areas. The service area may also include destinations across a state line to enhance coordination with neighboring states. Operators of interstate service are required to comply with FMCSA regulations.

In some locales, a subrecipient receives both Section 5307 and 5311 funding to provide public transportation to urbanized and surrounding areas. These subrecipients should use Section 5311 funds only to assist the rural portion of those locales. Section 5311 funded services must be designed to maximize use by members of the general public who are transportation disadvantaged, including seniors and individuals with disabilities.



Eligible expenses are capital, operating, and project administrative expenses. Capital expenses are eligible for projects that include the acquisition, construction, and improvement of public transit facilities and equipment needed for a safe, efficient, and coordinated public transportation system as well as certain other expenses classified as capital in Section 5302(a)(1). Maintenance is treated as an operating expense. Examples of eligible expenses include, but are not limited to:

- Capital expenses:
  - Accessible buses or vans
  - Radios and communication equipment
  - Passenger shelters, bus stop signs, park-and-ride lots, and similar passenger amenities
  - Vehicle rehabilitation, remanufacture, or overhaul
  - Extended warranties that do not exceed the industry standard
  - Operational support such as computer hardware or software, installation costs, vehicle procurement, testing, inspection, and acceptance costs
  - Construction or rehabilitation of transit facilities including design, engineering, and land acquisition
  - Facilities to provide access for bicycles to transit facilities
  - Equipment for transporting bicycles on transit vehicles
  - The introduction of new technology, through innovative and improved products, into public transportation
  - Mobility management (see discussion below)
  - Safety and security equipment and facilities (including surveillance, and related intelligent transportation system applications);
  - Transit-related ITS
- Net operating expenses: Operating expenses are those costs directly related to system operations. Only net operations expenses are eligible for assistance.
  - Fuel
  - Oil
  - Drivers' salaries and fringe benefits
  - Dispatchers' salaries and fringe benefits
  - Licenses directly related to system operation
  - Preventive maintenance, defined as all maintenance costs
- Administrative expenses (non-operating expenses)
  - Salaries of project director, secretary, and bookkeeper
  - Marketing expenses
  - Insurance premium
  - Office supplies
  - Facilities and equipment rental
  - Standard overhead rates Costs of administering drug and alcohol testing



- Mobility management:
  - Mobility management is an eligible capital cost. Mobility management techniques may enhance transportation access for populations beyond those served by one agency or organization within a community. For example, a non-profit agency could receive Section 5310 funding to support the administrative costs of sharing services it provides to its own clientele with other senior individuals and/or individuals with disabilities and coordinates usage of vehicles with other non-profits.
  - Mobility managers build coordination among existing public transportation providers and other transportation service providers with the result of expanding the availability of service, but not the operation of services.
  - Mobility management activities may include:
    - The promotion, enhancement, and facilitation of access to transportation services including the integration and coordination of services for individuals with disabilities, seniors, and low-income individuals. Support for short-term management activities to plan and implement coordinated services.
    - Facilitation and coordination of area mobility focused entities and organizations.
- Planning:
  - Studies related to management, planning, operations, capital requirements, and economic feasibility.
  - Evaluating previously financed projects
  - Peer reviews and exchanges of technical data, information, assistance, and related activities in support of planning and environmental analyses among metropolitan planning organizations and other transportation planners.
  - Other similar and related activities preliminary to and in preparation for constructing, acquiring, or improving the operation of facilities and equipment.

### **Job Access and Reverse Commute Projects.**

MAP-21 created a new eligible project category for “job access and reverse commute projects” under Section 5311. This category includes all types of projects that were formerly eligible under the Section 5316 Job Access and Reverse Commute Program. Examples of eligible projects are listed in paragraph (5) below. There is no requirement or limit to the amount of Section 5311 funds that can be used for these projects.

A job access and reverse commute project is defined in 49 U.S.C. 5302(9) as:

“A transportation project to finance the planning, capital and operating costs that support the development and maintenance of transportation services designed to transport welfare recipients and eligible low-income individuals to and from jobs and activities related to their employment,



including transportation projects that facilitate the provision of public transportation services from urbanized areas and rural areas to suburban employment locations.

**Job Access Reverse Commute Projects must meet the following requirements:**

- New and Existing Services. Eligible job access and reverse commute projects must provide for the development or maintenance of eligible job access and reverse commute services. In order to be eligible as a job access and reverse commute project, a proposed project must qualify as either a “development project” or “maintenance project” as follows:
  - Development Projects. “Development of transportation services” means new projects that meet the statutory definition and were not in service as of the date MAP-21 became effective, October 1, 2012. This includes projects that expand the service area or hours of operation for an existing service. Projects for the development of new qualifying job access and reverse commute projects must be identified as such in the recipient’s program of projects (POP).
  - (b) Maintenance Projects. “Maintenance of transportation services” means projects that continue and maintain job access and reverse commute projects and services that received funding under the former Section 5316 program or were previously funded as JARC projects under Section 5311 program.
- Reverse Commute Projects. Reverse commute projects are a category of job access and reverse commute projects that provide transportation services from urbanized and rural areas to suburban employment locations. Generally, these services increase the capacity of public transportation services operating in the reverse direction of existing peak services. Reverse commute projects may only qualify as job access and reverse commute projects under Section 5311 if they meet all other requirements, including having been designed to transport welfare recipients and eligible low-income individuals to and from jobs and employment-related activities.
- Welfare Recipients and Eligible Low-Income Individuals. Projects funded as “job access and reverse commute projects” must be designed to provide transportation for welfare recipients and eligible low-income individuals. The term “low-income individual” is defined as an individual whose family income is at or below 150 percent of the poverty line, as that term is defined in Section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)), including any revision required by that section, for a family of the size involved. Projects that serve the general public without specific route or design characteristics intended to respond to the needs of these populations may not be eligible as job access and reverse commute project. However, job access and reverse commute projects do not need to be designed exclusively for these populations.
- Planning and Program Development. In order for an entity to receive Section 5311 funding for a job access and reverse commute project, the project must be identified by the recipient as a



job access and reverse commute project in the recipient's program of projects (POP), which must be made available for public review and comment.

**Job Access Reverse Commute eligible activities include:**

- Late-Night and weekend service;
- Guaranteed ride home service;
- Shuttle service;
- Expanding fixed route public transit routes, including hours of service or coverage;
- Demand-responsive van service;
- Ridesharing and carpooling activities;
- Transit-related aspects of bicycling (such as adding bicycle racks to vehicles to support individuals that bicycle a portion of their commute, providing secure bicycle parking at transit stations, or infrastructure and operating expenses for bicycle sharing programs in the vicinity of transit stations, but does not include the acquisition of bicycles);
- Promotion, through marketing efforts, of the:
  - use of transit by low-income individuals and welfare recipients with nontraditional work schedules;
  - use of transit voucher program by appropriate agencies for welfare recipients and other low-income individuals;
  - development of employer-provided transportation such as shuttles, ridesharing, carpooling; or
  - use of transit pass programs and benefits under Section 132 of the Internal Revenue Code of 1986;
- Supporting the administration and expenses related to voucher programs. This activity is intended to supplement existing transportation services by expanding the number of providers available or the number of passengers receiving transportation services. Vouchers can be used as an administrative mechanism for payment to providers of alternative transportation services. Job access and reverse commute projects can provide vouchers to low-income individuals to purchase rides, including
  - mileage reimbursement as part of a volunteer driver program,
  - a taxi trip, or
  - trips provided by a human service agency.

Providers of transportation can then submit the voucher to the FTA recipient or subrecipient administering the project for payment based on predetermined rates or contractual arrangements. Transit passes for use on fixed route or Americans with Disabilities Act of 1990 (ADA) complementary paratransit service are not eligible. Vouchers are an operational expense which requires a 50 percent local match;



- Supporting local car loan programs that assist individuals in purchasing and maintaining vehicles for shared rides, including the provision of capital loan guarantees for such car loan programs, provided the federal interest in the loan guarantee fund is maintained and the funds continue to be used for subsequent loan guarantees or are returned to the government upon the release of funds from each guarantee;
- Implementing intelligent transportation systems (ITS), including customer trip information technology, vehicle position monitoring systems, or geographic information systems (GIS) software;
- Integrating automated regional public transit and human service transportation information, scheduling, and dispatch functions;
- Subsidizing the costs associated with adding reverse commute bus, train, carpool van routes, or service from urbanized area and nonurbanized areas to suburban work place;
- Subsidizing the purchase or lease by a nonprofit organization or public agency of a van or bus dedicated to shuttling employees from their residences to a suburban workplace;
- Otherwise facilitating the provision of public transportation service to suburban employment opportunities; and
- Supporting mobility management and coordination programs among public transportation providers and other human service agencies providing transportation. Mobility management techniques may enhance transportation access for populations beyond those serviced by one agency or organization within a community. For example, under mobility management, a nonprofit agency could receive job access and reverse commute funding to support the administrative costs of sharing services it provides to its own clientele with other low-income individuals and coordinate usage of vehicles with other nonprofits, but not the operating costs of the service. As described under “Capital Projects,” mobility management is intended to build coordination among existing public transportation providers and other transportation service providers with the result of expanding the availability of service.

Note: Transit passes for use on fixed-route or ADA complementary paratransit services are not eligible.

Non-eligible expenses include: charter bus, meal delivery, package delivery, and school transportation.

### **Match Requirements**

After the apportionment of 15 percent of UDOT’s full Section 5311 grant to intercity bus programs, federal and local matches apply for both Section 5311 and Section 5311(f) as described below.

The federal share of eligible capital costs may not exceed 80 percent of the net cost of the activity, leaving the local share of capital costs at no less than 20 percent of the net cost of the activity. The federal share of eligible net operating costs may not exceed 50 percent, leaving a local share of not less than 50 percent (minus fare revenue). The federal share of eligible program administrative expenses is 80 percent, leaving the local share at no less than 20 percent. The PTT does not allow



higher federal share rates for bicycle access and transport or for vehicle-related equipment or facilities required by the ADA or Clean Air Act. The PTT does not allow use of a sliding scale based on the ratio of designated state public land areas to the total state area. The local share may be provided from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, a service agreement with a state or local service agency or private social service organization, or new capital. Examples of these local match sources include: state or local appropriations, dedicated tax revenues, private donations, revenue from service contracts, toll revenue credits, and net income generated from advertising and concessions. In addition, the local share may be derived from federal programs that are eligible to be expended for transportation, other than USDOT programs, or from USDOT's Federal Lands Highway Program. Examples of types of programs that are potential sources of local match include: employment, training, aging, medical, community services, and rehabilitation services.

### **Reporting/Performance Measures**

Compliance requirements are much more rigorous due to the type of services funded by Section 5311. Reporting requirements include:

- NTD
- Drug and Alcohol
- Complementary Paratransit
- EEO
- Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards
- DBE
- Quarterly Report
- Surveillance Report
- Preventive Maintenance
- Accidents/Incidents

### **NTD**

The 5311 Program Manager is required to enter subrecipient data into the NTD website at [www.ntdprogram.gov](http://www.ntdprogram.gov) (subrecipients are not permitted to do so). The UDOT PTT is required to submit data to the NTD by the end of January. As a result, subrecipients are required to submit their data to the PTT by January 20 each year. Since the FY varies per agency, subrecipients are required to submit their previous FY data. If FTA modifies submittal requirements, a notice will be sent to the Program Manager three months in advance. The Program Manager will ensure that the PTT Online system reflects these changes. Changes are also posted on the NTD website at [www.ntdprogram.gov/ntdprogram/rural.htm](http://www.ntdprogram.gov/ntdprogram/rural.htm). An extensive online rural reporting manual is published annually and found at the same link.

If errors in the submittal are identified, the NTD will send a validation report via e-mail. The PTT must follow up with the subrecipients to obtain corrections and then resubmit the data to the NTD.





While there are several forms associated with the NTD, the UDOT PTT is required to submit the following forms, which are described below:

- Agency Identification
- General Public Transit
- Intercity Bus
- Urban-Tribal Subrecipient

#### Agency Identification Form

Collects contact information for the state agency or Indian tribe reporting directly to the NTD. Contact information is collected for the director of the transit unit and for the rural contact person. The NTD pre-fills information on this form from the prior report year. The Program Manager updates any information that has changed. Saving this form will generate each subrecipient's RU-20 form from the prior report year, pre-filled with the basic agency and contact person information and the revenue vehicle fleet data. Saving the RU-10 form will also generate the RU-30 form and reveal the "Add Form," "Print All," and "Submit Report" buttons.

#### General Pubic Transit

Collects key financial and operating information on each subrecipient. Data collected includes the subrecipient's name and information, modes operated, service area, annual operating expenses, sources of operating revenues, annual capital costs, sources of capital funds, number of vehicles and characteristics, number and ownership of maintenance facilities, volunteer resources, annual vehicle revenue miles, annual vehicle revenue hours, annual unlinked passenger trips, and safety information.

The Program Manager completes a separate form for each subrecipient, and includes information on all general public transit operations of the subrecipient in the report.

#### Intercity Bus Form

Collects key financial and service information on subrecipients of the intercity bus funds set aside under 49 USC 5311(f). This form should be used only for private intercity bus providers. Data collected includes the subrecipient's name and information, modes operated, service area, 5311 funds, annual vehicle revenue miles, and annual unlinked passenger trips. There is a new RU-21 form to be used only for private intercity bus providers that are subrecipients of the intercity bus funds set aside under 49 USC 5311(f). The Program Manager completes a separate form for each subrecipient.

#### Urban-Tribal Subrecipient Form

Collects financial information on subrecipients that submit complete reports in the urban NTD. These subrecipients include those who receive 5311 funds from the state and 5307 Urbanized Area funds. Data collected includes the subrecipient's name and information, 5311 operating revenues



expended, and 5311 capital revenues expended. The Program Manager completes a separate form for each subrecipient.

### **Drug and Alcohol Report**

FTA sends the 5311 Program Manager a drug and alcohol report notice with a new username and password. The Program Manager scans the document into the PTT Online system and forwards the document to the PTT's contracted drug and alcohol compliance manager. The contractor works closely with the subrecipients to ensure that each is ready to submit their report no later than March 15 of each year. Subrecipients enter their reports into the Motor Carrier Management Information System, which is a part of the FMCSA (<http://www.fmcsa.dot.gov/regulations/drug-alcohol-testing-program>) The drug and alcohol contractor reviews the reports and sends an e-mail to the Program Manager to review and approve each report.

While the drug and alcohol contractor is responsible for ensuring that subrecipients have compliant drug and alcohol programs, the 5311 Program Manager is responsible for ensuring that each subrecipient is meeting all compliance standards. As a result, the Program Manager should stay current on evolving federal drug and alcohol compliance standards and requirements. In addition, the Program Manager should also schedule site visits to meet with subrecipients at least every three years.

### **Complementary Paratransit Plan**

Submittal of a complementary paratransit plan is only necessary when the agency has a new or updated plan. These plans are due to the Program Manager by January 15 and to FTA Region VIII Civil Rights division. Subrecipients are required to submit their plan to the Compliance Officer. The Program Manager compares the plan to the PTT Complementary Paratransit Checklist (<http://www.udot.utah.gov/main/f?p=100:pg:0:::1:T,V:3209>) Once approved, the Program Manager submits the plan to FTA for approval.

### **EEO Plan**

EEO plans and updated plans are due to FTA the first week of June. Reporting is required if an agency has a staff of 50 or more and accepts \$1 million or more in capital or operating federal funds, or \$250,000 or more in planning federal funds. Somewhat different EEO requirements apply to all construction projects over \$10,000. Currently, Park City is the only agency required to submit an updated EEO plan. FTA Civil Rights has agreed to review and approve Park City's plan. When FTA approves the plan, a copy is forwarded to the Program Manager to upload into the PTT system. If additional agencies are required to submit plans, the PTT will work with FTA to identify a process for review and approval.

### **Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards**

The deadline for submitting a Single Audit is based on the subrecipient's audit schedule. Subrecipients that have accepted \$750,000 or more of combined federal funds in the past year are



required to complete and submit a Single Audit. At a minimum, the PTT requires subrecipients to bring to the PTT's attention any audit findings relevant to their use of FTA funds. The subrecipient is required to resolve these findings within six months of the audit date, and the PTT monitors subrecipients to ensure findings are resolved. The UDOT Internal Audit division reviews audits and the PTT Director reviews the audit results for findings related to FTA funds. If there are findings related to FTA funds, the PTT Director ensures the subrecipient is followed up with and findings are resolved.

## **DBE**

USDOT's operating administrations distribute substantial funds each year to finance construction projects initiated by state and local governments, public transit agencies, and airport agencies. The Transportation Equity Act for the 21st Century, enacted June 9, 1998, authorized the federal surface transportation programs for highways, highway safety, and transit for the six-year period from 1998 to 2003. Section 1101(b) of the act (DBE) states that except to the extent that the Secretary determines otherwise, not less than 10 percent of the amounts made available for any program under Titles I, III, and V of this act should be expended with small business concerns owned and controlled by socially and economically disadvantaged individuals. USDOT's most recent surface program reauthorization, SAFETEA-LU, enacted in 2005, extended the DBE program to USDOT's highway and safety research program. Subrecipients are required to submit the Uniform Report of DBE Commitment and Awards and Payments to the PTT by May 25 and November 25 of each year for the applicable reporting period.

## **Surveillance, Preventive Maintenance, Quarterly Reports, and Accidents/Incidents**

Refer to Section 5.2 for reporting requirements for Section 5310 program and for information on surveillance, preventive maintenance, and quarterly reporting for vehicles.

## **5.4 Section 5311(b)(3) Rural Transit Assistance Program (RTAP)**

### **Program Goals**

The goals of the Section 5311(b)(3) program are to:

- Promote the safe and effective delivery of public transportation in non-urbanized areas and make more efficient use of public and private resources
- Foster the development of state and local capacity for addressing the training and technical assistance needs of the rural transportation community
- Improve the quality of information and technical assistance available through the development of training and technical assistance resource materials
- Facilitate peer-to-peer self-help through the development of local networks of transit professionals
- Support the coordination of public, private, specialized, and human service transportation services



### **Eligible Subrecipients**

UDOT is the only eligible grant applicant. Local agencies may submit a request for Section 5311(b)(3) funding to the PTT.

### **Eligible Activities**

Funds may support non-urbanized transit activities in four categories:

- Training
- Technical assistance
- Research
- Related support services

The PTT develops state RTAP activities through a process that provides maximum opportunity for the participation of rural transit operators, both public and private, in identifying and establishing priority areas of need for transportation research, technical assistance, training, and related support services in areas not designated as urban.

### **Match Requirements**

There is no local share requirement for Section 5311(b)(3) funds.

### **Reporting/Performance Measures**

Reporting requirements are established on a contract-by-contract basis and are included in the contract between the PTT and the agency.

## **5.5 Section 5311(f) Intercity Bus Program**

### **Program Goals**

The goals of the Section 5311(f) program are to:

- Support the connection between non-urbanized areas and the larger regional or national system of intercity bus service
- Support services to meet the intercity travel needs of residents in non-urbanized areas
- Support the infrastructure of the intercity bus network through planning and marketing assistance and capital investment facilities
- Apportion 15 percent of the Section 5311 program funds for the Section 5311(f) program

### **Eligible Subrecipients**

Intercity bus service providers that receive FTA grant funds indirectly through a subrecipient are eligible for funding.



### **Eligible Activities**

Eligible expenses include capital, operating, and project administrative expenses for projects that develop and support intercity bus transportation.

### **Match Requirements**

FTA allows for the use of in-kind match in lieu of a required local match. The in-kind match is derived from the unsubsidized operating costs in connecting interstate corridors.

### **Reporting/Performance Measures**

Reporting requirements are established on a contract-by-contract basis and are included in the contract between the PTT and the agency.

## **5.6 Section 5311 Compliance**

### **Site Visit and Inspection**

Site visits and inspections are performed by the Compliance Officer and include a comprehensive review of the funded activities. These site visits are similar to the site visits done for the Section 5310 program, but are usually more involved due to the larger variety of projects and funding types. The purpose of the site visit for the Section 5311 program is to verify that each vehicle or facility is being used for the intended purpose, procurement documentation is being maintained, maintenance is being performed and is effective, Title VI posters are current and posted in necessary areas, ADA features are adequate and functioning properly, insurance and registration are current and adequate, operations comply with policy, and an opportunity for technical assistance is provided for the subrecipient. The Compliance Officer is always available and is expected to provide assistance as needed. For Section 5311 projects, operations and administrative activities are eligible and are included in the reviews.

Refer to Section 5.2 for reporting requirements for Section 5310 program and for information on vehicle surveillance, preventive maintenance, and quarterly reporting for vehicles.

### **Reporting and Vehicle Policy, Use, Audits, and Liens**

Refer to Section 5.2 for 5310 program requirements and for information on surveillance, preventive maintenance, and quarterly reporting for vehicles.

### **Construction Projects**

The PTT requires subrecipients to perform construction management of construction projects. The PTT oversees these management operations as well as the procurement process—including oversight of the procurement process starting immediately after execution of a contract agreement between the subrecipient and the PTT. Oversight of the procurement process is done in accordance with the PTT Procurement Guide and includes mandatory review points, attendance of any pre-advertisement and pre-bid meetings, and optional attendance at bid openings. Throughout



construction, the PTT performs periodic site visits and inspections to oversee the construction management.

Mandatory review points include:

- Pre-advertising review to evaluate solicitation documentation and contract documents. The PTT's review of construction specifications and plans is for compliance with federal and state procurement regulations and not for compliance to industry and other design standards. The subrecipient retains all responsibility for developing plans and specifications in accordance with applicable codes and standards.
- Pre-award review to verify proposed successful bidder is responsive and responsible.

The PTT attends meetings when deemed necessary to provide technical assistance on federal and state requirements and to document compliance with solicitation documents.

Throughout construction, the Compliance Officer performs site visits and inspections through a similar process as described for non-construction projects. The purpose of site visits for construction projects is to review construction management methods, including administration items such as subcontracting, change orders, schedule, scope, budget, insurance, and bonds; site safety; materials documentation including Buy America compliance, acceptance testing, submittals, and certifications; Title VI compliance; and overall project status. Compliance with federal and state requirements is reviewed along with compliance to the contract plans and specifications. Site visits are also a technical assistance opportunity for the subrecipient. The Compliance Officer is always available and is expected to provide assistance as needed.

### **Property Insurance**

The PTT requires all subrecipients to maintain adequate insurance coverage (collision, comprehensive, liability, uninsured motorist, no fault, flood hazards, Federal Motor Carrier Safety, fire, etc.) as required by federal, state, and local law and to provide assurance of coverage to protect FTA's interest in the property. This includes all vehicles, equipment, facilities, and other property as defined by FTA Circular 5010.1D, Grant Management Requirements. The subrecipient must comply with all applicable motor vehicle laws, and secure a certificate of insurance covering each motor vehicle demonstrating that the subrecipient has obtained all insurance required by state and federal law. The subrecipient is required to obtain the minimum specified coverage for the following categories:

- Bodily Injury Liability: Minimum specified by state and federal law, whichever is greater.
- Property Damage Liability: Minimum specified by state and federal law, whichever is greater.
- Collision: An amount equal to at least 100 percent of the property value during the period of coverage or minimum specified by state and federal law, whichever is greater.
- Comprehensive: An amount equal to at least 100 percent of the property value during the period of coverage or minimum specified by state and federal law, whichever is greater.



- Uninsured Motorist: An amount equal to at least 100 percent of the property value during the period of coverage or minimum specified by state and federal law, whichever is greater.
- No Fault: Minimum specified by state and federal law, whichever is greater.
- Flood Hazards: The subrecipient agrees to comply with the flood insurance purchase provisions of Section 102(a) of the Flood Disaster Protection Act of 1973, as amended, 42 USC 4012a(a), with respect to any project activity involving construction or an acquisition having an insurable cost of \$10,000 or more. Insurance coverage should be for an amount equal to at least 100 percent of the property value during the period of coverage or minimum specified by state and federal law, whichever is greater.

This insurance is required to continue uninterrupted throughout the period of required use. For facilities and other non-vehicle property, the subrecipient must obtain insurance coverage for an amount equal to at least 100 percent of the property value during the period of coverage or minimum specified by state and federal law, whichever is greater. Property is required to be insured against theft, vandalism, fire, earthquake, flood, and wind.

### **Use of Property**

Federally funded property must be used by the subrecipient in the program or project for which it was acquired, and the use must meet the definition of public transportation as defined in this SMP. Property should first be utilized to meet the needs under the program for which it was acquired. However, the PTT encourages maximum use of property funded under its programs. The PTT encourages the sharing of vehicles or other equipment as long as it does not disrupt the original intended use. PTT policy requires subrecipients to notify the PTT immediately if property is not used in the approved program or project or if it is used in a manner substantially different from that described in the project scope. The PTT will provide guidance and assist the subrecipient in approving alternative uses or disposing of the property.

If property use is not as approved or intended or property is no longer needed, the PTT will consider several options. First, the PTT and the subrecipient should consider ways to increase usage within the approved project and program. As long as the original intended use is not disrupted and receives priority, the property may be used for other public transportation services that are allowed and in compliance with federal regulations. For instance, a vehicle purchased with Section 5310 funds may be considered for service to the general public in addition to service for senior individuals and individuals with disabilities, provided the latter remain the priority.

Second, the property can be transferred to any eligible subrecipient as described herein if the property will continue to be used in accordance with the requirements of the project proposal and grant program. The subrecipient receiving the property must comply with all applicable state and federal requirements. The names of the entities involved in the transfer of property, as well as a description of the property transferred, should be included in a new or revised POP. The transfer may be shown in the POP for any active grant. It does not have to be in the grant under which the property was originally funded. For any transfer of property for which a federal interest remains,



the new owner must reimburse the original subrecipient the prorated value of the local match calculated using straight line depreciation. For example, if a vehicle with five years of useful life is transferred after four years, the new owner must reimburse the original owner in an amount equal to 40 percent of the original local match. The reimbursement value will be calculated based on the total match, the useful life, and the total months the bus has been in service (see the example below):

$$\text{Local Match} - ((\text{Local Match} / \text{Useful Life (in Months)}) \times \text{Total Months in Service}) = \text{Reimbursement Value}$$

$$\$12,000 - ((\$12,000 / 60) \times 48) = \$2,400$$

Third, property, including land, that is no longer needed for the purpose for which it was acquired can be transferred to a local governmental authority to be used for a public purpose other than transportation with no further obligation to the federal government, if authorized by the PTT, who will secure authorization from the FTA. If the property cannot be used within the applicable grant program, the PTT may consider transferring the property to another FTA grant program.

Finally, if no additional use can be found for the property, it will be disposed of according to PTT policy. For any transfer of property for which a federal interest remains, the new owner must reimburse the original subrecipient the prorated value of the local match calculated using the straight line depreciation method outlined above.

Subrecipients are required to maintain satisfactory records regarding the use of the property. All vehicle usage and accidents must be reported by subrecipients in the PTT Online system. Facility use documentation must be available at any time to the PTT. Subrecipients are also required to submit an annual report to the PTT providing assurance that project property exists and is being used and maintained in accordance with the project proposal filed by the subrecipient with the PTT.

### **Incidental Use**

The PTT encourages subrecipients to look for incidental use opportunities so long as the incidental use does not interfere with the original property use. PTT policy requires the subrecipient to receive PTT approval prior to allowing incidental use. PTT policy also requires subrecipients to document incidental use and revenues once the use has been approved. In addition to not interfering with the original project and program use, several requirements for incidental use must be met:

7. The subrecipient must maintain continuing control over the property. Incidental use agreements must contain appropriate provisions maintaining the subrecipient's control.





8. The subrecipient must fully recapture all costs related to the incidental use from the non-transit public or private entity, including all applicable excise taxes on fuel for fueling facilities and wear and tear to capital improvements.
9. The subrecipient must use revenues received from the incidental use for capital and/or operating expenses that were or will be incurred to provide the public transportation.
10. Private entities must pay all applicable excise taxes on fuel.

### **Leasing**

To maintain continuing control over federally funded assets, leasing is not permitted. However, the PTT encourages vehicle coordination with agencies to maximize vehicle usage (see the Mobility Management discussions in Sections 2.8, 5.2, and 5.3).

### **Property Maintenance**

Federally funded property must remain in good operating order at a high level of cleanliness and safety. PTT policy requires a written maintenance plan to be in place and approved prior to property use. These plans should cover all property, including vehicles, facilities, ADA features, and equipment, and should describe a system of periodic inspections and preventive maintenance to be performed at certain defined intervals. Plans must include pre-trip inspection, surveillance inspection, and preventive maintenance inspection requirements. These three inspection types are the minimum requirements; additional inspections may be required. The PTT will either provide a maintenance plan based on manufacturer's recommendations or the subrecipient can submit their own plan for approval. If the subrecipient opts to use a PTT-provided plan, the subrecipient will be responsible for submitting all manufacturer requirements to the PTT for plan development. All plans must meet the minimum manufacturer requirements for maintenance.

PTT policy requires subrecipients to have a system in place to track property warranties, identify warranty claims, record claims, and enforce warranty claims against the manufacturer. Subrecipients are responsible for ensuring that maintenance costs covered by warranties are recovered from the manufacturer and are not submitted for reimbursement.

Subrecipients are required to maintain satisfactory records regarding the maintenance of property, including warranty claims. All vehicle maintenance inspections and services must be reported by subrecipients in the PTT Online system. Facility and equipment maintenance documentation must be available at any time to the PTT.

### **Property Title and Lien**

The PTT does not hold titles/deeds. The PTT requires each subrecipient to relinquish physical possession of the title, deed, or ownership document to the PTT for the length of time there is an active federal interest in any property. In addition, the PTT secures property liens or restrictive covenants to protect the federal share of the property. Subrecipients must include UDOT as a lien holder when completing registration, insurance, and other forms. The lien or covenant will be



released when the useful life and disposition standards have been met and any non-compliance findings are resolved. The federal interest expires when the property reaches its useful life and the vehicle value is less than \$5,000. These requirements exist to protect the federal interest and to maintain continuing control over property.

### **Useful Life**






Useful life indicates the expected lifetime of capital purchases, or the acceptable period of use in service. When the useful life has been reached and the vehicle has a resale value of less than \$5,000, the PTT returns the property title or ownership documents to the subrecipient and cancels its lien.

PTT, at its discretion, may extend useful life of capital purchases. Situations, including non-compliance of Federal and/or PTT regulations and contracts, non-use of equipment, low vehicle miles and inconsistent maintenance, are examples of where by PTT may extend a vehicles useful life.

### **Vehicles**

Useful life of vehicles begins on the date the PTT takes possession of the vehicle and continues until the vehicle reaches the useful life minimum criteria outlined in Table 3.4, below. The useful life minimum refers to total time or miles in revenue service, not time spent stockpiled or otherwise unavailable for regular transit use. The PTT useful life policy revisions will be effective upon document approval. All vehicles procured under the 2012 SMP will be held to the 2012 Useful Life policy.

**Table 5.5: Vehicle Types and Useful Life**

PTT Category	Photo	Approx. GVWR	Number of Seats	Approximate Length	Useful Minimum Life
A: Large, Heavy-Duty Transit Bus and Articulated Buses		33,000 – 40,000 lbs.	35 – 40+	35 – 40 ft. or greater	12 years or 500,000 miles
B. Medium-Size, Heavy-Duty Transit Bus		26,000 – 33,000 lbs.	25 – 35	30 – 35 ft.	10 years or 350,000 miles
C. Medium-Size, Medium-Duty Transit Bus & Truck Chassis Cutaway Bus		10,000 - 26,000 lbs.	16 – 30	25 – 30 ft.	7 years or 200,000 miles
D. Medium-Size, Light-Duty Bus & Van Chassis Cutaway Bus		10,000 – 16,000 lbs.	12 – 16	20 – 25 ft.	7 years or 150,000 miles
E-1: Small, Light-Duty Bus E-2: Modified Vans E-3: Modified Minivans (33,000 – 40,000 lbs.) E-4: Vans E-5: Minivans E-6: Station Wagons E-7 Sedans		6,000 – 14,000 lbs	3 – 14	E-1: 20 – 22 ft. E-2: < 20 ft. E-3: < 20 ft. E-4 through E-7: < 20 ft.	5 years or 100,000 miles

### **Rehabilitated Vehicles**

The PTT does not allow for the procurement of rehabilitated vehicles.



## **Facilities**

With regular maintenance, assets will operate at the same level on first and last day of service, throughout their useful life. In general, assets within their useful life are considered to be in a state of good repair. (The FTA website includes the following information regarding state of good repair, “State of good repair is the condition where all assets perform their assigned functions without limitation.”) Subrecipients must apply the following useful life standards to facilities funded through the PTT:

- Passenger shelters such as pre-fabricated metal, glass, Plexiglas, and stick-frame structures: Useful life of 20 years
- Bus barns such as site-built “pole barns” or other stick-frame barns: Useful life of 40 years
- Administration and maintenance buildings (including additions): Useful life of 40 years
- Concrete pavement infrastructure: Useful life of 20 years
- Fencing: Useful life of 20 years
- Office furniture: Useful life of 10 years

## **Other Equipment**

For other equipment with an acquisition value greater than \$5,000, the PTT determines useful life standards on a case-by-case basis that reflects the manufacturer’s estimated useful life. The subrecipient should propose a useful life in its project proposal.

## **Disposal**

UDOT will release the lien when the useful life and disposition standards have been met and any non-compliance findings are resolved. The federal interest expires when the property reaches its useful life and the vehicle value is less than \$5,000. These requirements exist to protect the federal interest and to maintain continuing control over property

### **Selling Prior to Meeting the Useful Life.**

If a subrecipient desires to dispose of the property before it meets the end of its useful life, and an alternative use cannot be found as described above, the property may be sold with the PTT and FTA approval. The subrecipient must submit a request to the PTT. If a sale is approved by the PTT, proceeds do not need to be returned to the PTT or FTA; however, all proceeds must continue to be used for public transportation purposes within the program from which it originated.

The UDOT PTT will apply a straightline depreciation formula to vehicles to determine the depreciated value of Federally funded vehicles.

Example Straightline Depreciation	
Cost (purchase price)	\$48,000



<b>Salvage</b> (estimated value)*	\$7,900		
<b>Life</b> (years in service)	5		
<b>Depreciation</b> ((cost-salvage) / life)	\$8,020.00		
<b>yr</b>	<b>vehicle value</b>	<b>vehicle depreciation</b>	<b>depreciated value</b>
1	\$48,000	\$8,020	<b>\$39,980</b>
2	\$39,980	\$8,020	<b>\$31,960</b>
3	\$31,960	\$8,020	<b>\$23,940</b>
4	\$23,940	\$8,020	<b>\$15,920</b>
5	\$15,920	\$8,020	<b>\$7,900</b>
6	Less than \$5,000		
*based on estimated value - commercialtrucktrader.com			

If the subrecipient receives insurance proceeds when the property has been lost or damaged by fire, casualty, or natural disaster, the subrecipient must apply those proceeds to the cost of replacing the property or return to the PTT an amount equal to the remaining federal interest in the property.

### **Selling After the Useful Life**

Prior to selling the vehicle, the subrecipient must notify the PTT of its intent. The PTT will work with the subrecipient to identify the value of the vehicle. The PTT will apply the straightline depreciation formula above to assist in determining the depreciated value of Federally funded vehicles.

If the subrecipient chooses to sell the vehicle, and the market value of the vehicle is \$5,000 or more, the PTT requires reimbursement of the proportionate share (80% Fed/20% Local) of the net proceeds from the sale. Reimbursed proceeds will go back into the grant program from which the vehicle funds were utilized. The funds will then be shown in future grant applications. FTA has no federal interest in vehicles with a fair market value of less than \$5,000.

## **5.7 Section 5316 Job Access Reverse Commute (JARC) (SAFETEA-LU Funds)**

The JARC program provides formula funding to states to support the development and maintenance of job access and/or reverse commute projects designed to transport welfare recipients and eligible low-income individuals to and from jobs and activities related to their employment. These grant funds are intended to provide capital and operating assistance within small urban areas (communities with populations between 50,000 and 200,000) and non-urbanized areas (rural populations less than 50,000).



The JARC program was repealed by MAP-21 and combined with Section 5311. Funds under this program are only available before FY2013 and will only be available if those funding years have remaining unobligated funds.

### **Program Goals**

The goal of the Section 5316 program is to improve access to transportation services to employment and employment-related activities for eligible low-income individuals. The goal of the program is also to transport residents of urbanized areas and non-urbanized areas to suburban employment opportunities. The program requires coordination of federally assisted programs and services in order to make the most efficient use of federal resources.

### **Eligible Subrecipients**

Eligible subrecipients for JARC funds include:

- Private non-profit organizations
- State or local governmental authority
- Operators of public transportation services including private operators of public transportation services

Note that private for-profit operators of public transit services may participate as third-party contractors for eligible subrecipients.

### **Eligible Activities**

Funds from the JARC program are available for capital, planning, and operating expenses. The PTT has no explicit policy on service areas for this program. Projects must be for the general targeted population and not specific to an agency's eligible consumer group. Examples of eligible expenses include, but are not limited to:

- Late-night and weekend service
- Shuttle service
- Expansion of fixed-route public transit routes
- Demand-responsive van service
- Promotion, through marketing efforts, of the:
  - Use of transit by workers with non-traditional work schedules
  - Use of transit voucher programs by appropriate agencies for welfare recipients and other low-income individuals
  - Development of employer-provided transportation such as shuttles, ridesharing, or carpooling
  - Use of transit pass programs and benefits under Section 132 of the Internal Revenue Code of 1986
- Ridesharing and carpooling activities



- Supporting local car loan programs that assist individuals in purchasing and maintaining vehicles for shared rides, including the provision of capital loan guarantees for such car loan programs, provided the federal interest in the loan guarantee fund is maintained and the funds continue to be used for subsequent loan guarantees or are returned to the government upon the release of funds from each guarantee;
- Implementing intelligent transportation systems (ITS), including customer trip information technology, vehicle position monitoring systems, or geographic information systems (GIS) software;
- Integrating automated regional public transit and human service transportation information, scheduling, and dispatch functions;
- Subsidizing the costs associated with adding reverse commute bus, train, carpool van routes, or service from urbanized area and nonurbanized areas to suburban work place;
- Subsidizing the purchase or lease by a nonprofit organization or public agency of a van or bus dedicated to shuttling employees from their residences to a suburban workplace;
- Supporting mobility management and coordination programs among public transportation providers and other human service agencies providing transportation. Mobility management techniques may enhance transportation access for populations beyond those serviced by one agency or organization within a community. For example, under mobility management, a nonprofit agency could receive job access and reverse commute funding to support the administrative costs of sharing services it provides to its own clientele with other low-income individuals and coordinate usage of vehicles with other nonprofits, but not the operating costs of the service. As described under “Capital Projects,” mobility management is intended to build coordination among existing public transportation providers and other transportation service providers with the result of expanding the availability of service..

### **Match Requirements**

The federal share of eligible capital and planning expenses may not exceed 80 percent of the net cost of the activity, leaving the local share of capital costs at no less than 20 percent of the net cost of the activity. The federal share of eligible net operating expenses may not exceed 50 percent, leaving a local share of not less than 50 percent. The PTT does not allow higher federal share rates for bicycle access and transport or for vehicle-related equipment or facilities required by the ADA or Clean Air Act. The PTT does not allow use of a sliding scale based on the ratio of designated state public land areas to the total state area. The local share may be provided from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, a service agreement with a state or local service agency or private social service organization, or new capital. Some examples of these sources of local match include: state or local appropriations, dedicated tax revenues, private donations, revenue from service contracts, toll revenue credits, and net income generated from advertising and concessions. In addition, the local share may be derived from federal programs that are eligible to be expended for transportation, other than USDOT programs, or from USDOT’s Federal Lands Highway Program. Examples of types of programs that are potential sources of local



match include: employment, training, aging, medical, community services, and rehabilitation services.

### **Reporting/Performance Measures**

Reporting requirements are established on a contract-by-contract basis and are included in the contract between the PTT and the agency.

#### **Quarterly Reporting**

It is the responsibility of the Program Manager to ensure that each subrecipient is submitting the required quarterly reports. Quarterly reports are based on the FFY and are submitted in January, April, July, and October. The Program Manager reviews and approves the quarterly reports. Compared to the aforementioned programs, the reporting requirements for Sections 5316 and 5317 are more qualitative in nature. These requirements may include, but are not limited to:

- Number of rides given
- Current geographic region and expansion
- Number of regional coordination meetings held
- Identification of new providers in a region
- Description of new projects to improve accessibility/mobility
- Number of coordination contacts made
- Efforts to improve accessibility/planning efforts (ongoing or completed)
- Lessons learned
- Greatest accomplishments

### **Compliance**

Refer to Section 5.2 for reporting requirements for Section 5310 program and for information on surveillance, preventive maintenance, and quarterly reporting for vehicles.

## **5.8 Section 5317 New Freedom (SAFETEA-LU Funds)**

New Freedom funds are used to provide additional tools to overcome existing barriers that face Americans with disabilities who are seeking integration into the workforce and full participation in society. The New Freedom program was repealed by MAP-21 and combined with Section 5310. Funds under this program are only available before FY2013 and will only be available if those funding years have remaining unobligated funds.

### **Program Goals**

Lack of adequate transportation is a primary barrier to work for individuals with disabilities. The 2000 Census showed that only 60 percent of people between the ages of 16 and 64 with disabilities are employed. The New Freedom formula grant program seeks to reduce barriers to transportation services and expand the transportation mobility options available to people with disabilities beyond the requirements of the ADA.





## **Eligible Subrecipients**

Eligible subrecipients for New Freedom funds include:

- Private non-profit organizations
- State or local governmental authority
- Operators of public transportation services including private operators of public transportation services

Note that private for-profit operators of public transit services may participate as third-party contractors for eligible subrecipients.

## **Eligible Activities**

New Freedom program funds are available for capital and operating expenses that support new public transportation services beyond those required by the ADA and new public transportation alternatives beyond those required by the ADA designed to assist individuals with disabilities with accessing transportation services, including transportation to and from jobs and employment support services. For the purpose of the New Freedom program, “new” service is any service or activity that was not operational on August 10, 2005, and did not have an identified funding source as of August 10, 2005, as evidenced by inclusion in the TIP or the STIP. In other words, if not for the New Freedom program, these projects would not have consideration for funding and proposed service enhancements would not be available for individuals with disabilities.

Recipients may not terminate ADA paratransit enhancements or other services funded as of August 10, 2005, in an effort to reintroduce the services as “new” and then receive New Freedom funds for those services.

Eligible projects funded with New Freedom funds may continue to be eligible for New Freedom funding indefinitely as long as the project(s) continue to be part of the coordinated plan. Both new public transportation services and new public transportation alternatives are required to go beyond the requirements of the ADA and must: 1) be targeted toward individuals with disabilities; and 2) meet the intent of the program by removing barriers to transportation and assisting individuals with disabilities with transportation, including transportation to and from jobs and employment services. The PTT has no explicit policy on service areas for this program. Projects must be for the general targeted population and not specific to an agency’s eligible consumer group. Examples of eligible expenses include, but are not limited to:

- Capital expenses:
  - Supporting new mobility management and coordination programs among public transportation providers and other human service agencies providing transportation. Mobility management activities may include:



- Promotion, enhancement, and facilitation of access to transportation services, including the integration and coordination of services for individuals with disabilities, seniors, and low-income individuals.
  - Support for short-term management activities to plan and implement coordinated services.
  - Operation of transportation brokerages to coordinate providers, funding agencies, and customers.
  - Provision of coordination services, including employer-oriented transportation management organizations' and human service organizations' customer-oriented travel navigator systems and neighborhood travel coordination activities such as coordinating individualized travel training and trip-planning activities for customers.
  - Development and operation of one-stop transportation traveler call centers to coordinate transportation information on all travel modes and to manage eligibility requirements and arrangements for customers among supporting programs.
  - Operational planning for the acquisition of ITS technologies to help plan and operate coordinated systems inclusive of GIS mapping; GPS technology; and coordinated vehicle scheduling, dispatching, and monitoring technologies; as well as technologies to track costs and billing in a coordinated system and single smart customer payment systems. (Acquisition of technology is also eligible as a stand-alone capital expense.)
- Operating expenses:
    - Enhancing paratransit beyond minimum requirements of the ADA. ADA-complementary paratransit services can be eligible under the New Freedom program in several ways as long as the services provided meet the following definition of "new:"
      - Expansion of paratransit service parameters beyond the three-quarters of a mile required by the ADA.
      - Expansion of current hours of operation for ADA paratransit services that are beyond those provided on the fixed-route services.
      - The incremental cost of providing same-day service.
      - Enhancement of the level of service by providing attendants or assisting riders through the door of their destination.
    - Supporting the management and expenses related to new voucher programs for transportation services offered by human service providers, such as:
      - Mileage reimbursement as part of a volunteer driver program
      - Taxi trips
      - Trips provided by a human service agency

Note: Transit passes for use on fixed-route or ADA-complementary paratransit services are not eligible.



- Providing new “feeder” service, which is transit service that provides access to commuter rail, commuter bus, intercity rail, and intercity bus stations, for which complementary paratransit service is not required under the ADA.
- Conducting travel training, including new programs for individual users on awareness, knowledge, and skills of public and alternative transportation options available in their communities. This includes travel instruction and travel training services.
- Supporting aide (ride-along attendant) programs.

### **Match Requirements**

The federal share of eligible capital expenses may not exceed 80 percent of the net cost of the activity, leaving the local share of capital costs at no less than 20 percent of the net cost of the activity. The federal share of eligible net operating expenses may not exceed 50 percent, leaving a local share of not less than 50 percent. The PTT does not allow higher federal share rates for bicycle access and transport or for vehicle-related equipment or facilities required by the ADA or Clean Air Act. The PTT does not allow use of a sliding scale based on the ratio of designated state public land areas to the total state area. The local share may be provided from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, a service agreement with a state or local service agency or private social service organization, or new capital. Some examples of these sources of local match include: state or local appropriations, dedicated tax revenues, private donations, revenue from service contracts, toll revenue credits, and net income generated from advertising and concessions. In addition, the local share may be derived from federal programs that are eligible to be expended for transportation, other than USDOT programs, or from USDOT’s Federal Lands Highway Program. Examples of types of programs that are potential sources of local match include: employment, training, aging, medical, community services, and rehabilitation services.

### **Reporting/Performance Measures**

Reporting requirements are established on a contract-by-contract basis and are included in the contract between the PTT and the agency.

### **Quarterly Reporting**

It is the responsibility of the Program Manager to ensure that each subrecipient is submitting the required quarterly reports. Quarterly reports are based on the FFY and are submitted in January, April, July, and October. The Program reviews and approves the quarterly reports. Compared to the aforementioned programs, the reporting requirements for Sections 5316 and 5317 are more qualitative in nature. These requirements may include, but are not limited to:

- Number of rides given
- Current geographic region and expansion
- Number of regional coordination meetings held
- Identification of new providers in a region
- Description of new projects to improve accessibility/mobility
- Number of coordination contacts made



- Efforts to improve accessibility/planning efforts (ongoing or completed)
- Lessons learned
- Greatest accomplishments

## **5.9 Section 5339 Bus and Bus Facilities (MAP-21)**

The Section 5339 Bus and Bus Facilities program provides formula funding for the purpose of replacing, rehabilitating, and purchasing buses and related equipment and to construct bus-related facilities.

### **Program Goals**

The goal of the Section 5339 program is to improve bus and bus facilities by funding capital projects to replace, rehabilitate and purchase buses, vans, and related equipment, and to construct bus-related facilities. PTT policy is to prioritize projects that replace existing vehicles or expand on existing services as well as projects that include bus-related facilities.

### **Eligible Subrecipients**

The PTT administers and provides funding for the small urban and rural areas—areas with populations less than 200,000. Eligible subrecipients include public agencies or private non-profit organizations engaged in public transportation, including those providing services open to a segment of the general public, as defined by age, disability, or low income.

### **Eligible Activities**

Eligible activities under the Section 5339 program include capital projects to replace, rehabilitate and purchase buses, vans, and related equipment, and to construct bus-related facilities. Projects for both fixed-route and demand-response services are eligible. Examples of bus-related facility activities include, but are not limited to:

- Bus maintenance and administrative facilities
- Transfer facilities
- Bus malls
- Transportation centers
- Intermodal terminals
- Park-and-ride stations
- Passenger shelters
- Accessory and miscellaneous equipment such as mobile radio units, fare boxes, and garage equipment

Charter service, meal delivery, package delivery, and school transportation are not eligible expenses and are prohibited by PTT policy.



### **Match Requirements**

The federal share of eligible capital costs may not exceed 80 percent of the net cost of the activity, leaving the local share of capital costs at no less than 20 percent of the net cost of the activity. The PTT does not allow higher federal share rates for bicycle access and transport or for vehicle-related equipment or facilities required by the ADA or Clean Air Act. The PTT does not allow use of a sliding scale based on the ratio of designated state public land areas to the total state area. The local share may be provided from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, a service agreement with a state or local service agency or private social service organization, or new capital. Some examples of these sources of local match include: state or local appropriations, dedicated tax revenues, private donations, revenue from service contracts, toll revenue credits, and net income generated from advertising and concessions. In addition, the local share may be derived from federal programs that are eligible to be expended for transportation, other than USDOT programs, or from USDOT's Federal Lands Highway Program. Examples of types of programs that are potential sources of local match include: employment, training, aging, medical, community services, and rehabilitation services.

### **Section 5339 Compliance**

#### **Reporting/Performance Measures**

Compliance requirements are much more rigorous due to the type of services funded by Section 5311. Reporting requirements include:

- NTD
- Drug and Alcohol
- Complementary Paratransit
- EEO
- Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards
- DBE
- Quarterly Report
- Surveillance Report
- Preventive Maintenance
- Accidents/Incidents

#### **NTD**

The 5311 Program Manager is required to enter subrecipient data into the NTD website at [www.ntdprogram.gov](http://www.ntdprogram.gov) (subrecipients are not permitted to do so). The UDOT PTT is required to submit data to the NTD by the end of January. As a result, subrecipients are required to submit their data to the PTT by January 20 each year. Since the FY varies per agency, subrecipients are required to submit their previous FY data. If FTA modifies submittal requirements, a notice will be sent to the Program Manager three months in advance. The Program Manager will ensure that the PTT Online system reflects these changes. Changes are also posted on the NTD website at



[www.ntdprogram.gov/ntdprogram/rural.htm](http://www.ntdprogram.gov/ntdprogram/rural.htm). An extensive online rural reporting manual is published annually and found at the same link.

If errors in the submittal are identified, the NTD will send a validation report via e-mail. The PTT must follow up with the subrecipients to obtain corrections and then resubmit the data to the NTD.

While there are several forms associated with the NTD, the UDOT PTT is required to submit the following forms, which are described below:

- Agency Identification
- General Public Transit
- Intercity Bus
- Urban-Tribal Subrecipient

#### Agency Identification Form

Collects contact information for the state agency or Indian tribe reporting directly to the NTD. Contact information is collected for the director of the transit unit and for the rural contact person. The NTD pre-fills information on this form from the prior report year. The Program Manager updates any information that has changed. Saving this form will generate each subrecipient's RU-20 form from the prior report year, pre-filled with the basic agency and contact person information and the revenue vehicle fleet data. Saving the RU-10 form will also generate the RU-30 form and reveal the "Add Form," "Print All," and "Submit Report" buttons.

#### General Public Transit Form

Collects key financial and operating information on each subrecipient. Data collected includes the subrecipient's name and information, modes operated, service area, annual operating expenses, sources of operating revenues, annual capital costs, sources of capital funds, number of vehicles and characteristics, number and ownership of maintenance facilities, volunteer resources, annual vehicle revenue miles, annual vehicle revenue hours, annual unlinked passenger trips, and safety information.

The Program Manager completes a separate form for each subrecipient, and includes information on all general public transit operations of the subrecipient in the report.

#### Intercity Bus Form

Collects key financial and service information on subrecipients of the intercity bus funds set aside under 49 USC 5311(f). This form should be used only for private intercity bus providers. Data collected includes the subrecipient's name and information, modes operated, service area, 5311 funds, annual vehicle revenue miles, and annual unlinked passenger trips. There is a new RU-21 form to be used only for private intercity bus providers that are subrecipients of the intercity bus funds set aside under 49 USC 5311(f). The Program Manager completes a separate form for each subrecipient.



### Urban-Tribal Subrecipient Form

Collects financial information on subrecipients that submit complete reports in the urban NTD. These subrecipients include those who receive 5311 funds from the state and 5307 Urbanized Area funds. Data collected includes the subrecipient's name and information, 5311 operating revenues expended, and 5311 capital revenues expended. The Program Manager completes a separate form for each subrecipient.

### **Drug and Alcohol Report**

FTA sends the 5311 Program Manager a drug and alcohol report notice with a new username and password. The Program Manager scans the document into the PTT Online system and forwards the document to the PTT's contracted drug and alcohol compliance manager. The contractor works closely with the subrecipients to ensure that each is ready to submit their report no later than March 15 of each year. Subrecipients enter their reports into the Motor Carrier Management Information System, which is a part of the FMCSA (<http://www.fmcsa.dot.gov/regulations/drug-alcohol-testing-program>) The drug and alcohol contractor reviews the reports and sends an e-mail to the Program Manager to review and approve each report.

While the drug and alcohol contractor is responsible for ensuring that subrecipients have compliant drug and alcohol programs, the 5311 Program Manager is responsible for ensuring that each subrecipient is meeting all compliance standards. As a result, the Program Manager should stay current on evolving federal drug and alcohol compliance standards and requirements. In addition, the Program Manager should also schedule site visits to meet with subrecipients at least every three years.

### **Complementary Paratransit Plan (for fixed route providers)**

Submittal of a complementary paratransit plan is only necessary when the agency has a new or updated plan. These plans are due to the Program Manager by January 15 and to FTA Region VIII Civil Rights division. Subrecipients are required to submit their plan to the Compliance Officer. The Program Manager compares the plan to the PTT Complementary Paratransit Checklist (<http://www.udot.utah.gov/main/f?p=100:pg:0:::1:T,V:3209>) Once approved, the Program Manager submits the plan to FTA for approval.

### **EEO Plan**

EEO plans and updated plans are due to FTA the first week of June. Reporting is required if an agency has a staff of 50 or more and accepts \$1 million or more in capital or operating federal funds, or \$250,000 or more in planning federal funds. Somewhat different EEO requirements apply to all construction projects over \$10,000. Currently, Park City is the only agency required to submit an updated EEO plan. FTA Civil Rights has agreed to review and approve Park City's plan. When FTA approves the plan, a copy is forwarded to the Program Manager to upload into the PTT system. If additional agencies are required to submit plans, the PTT will work with FTA to identify a process for review and approval.



## **Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards**

The deadline for submitting a Single Audit is based on the subrecipient's audit schedule. Subrecipients that have accepted \$750,000 or more of combined federal funds in the past year are required to complete and submit a Single Audit. At a minimum, the PTT requires subrecipients to bring to the PTT's attention any audit findings relevant to their use of FTA funds. The subrecipient is required to resolve these findings within six months of the audit date, and the PTT monitors subrecipients to ensure findings are resolved. The UDOT Internal Audit division reviews audits and the PTT Director reviews the audit results for findings related to FTA funds. If there are findings related to FTA funds, the PTT Director ensures the subrecipient is followed up with and findings are resolved.

### **DBE**

USDOT's operating administrations distribute substantial funds each year to finance construction projects initiated by state and local governments, public transit agencies, and airport agencies. The Transportation Equity Act for the 21st Century, enacted June 9, 1998, authorized the federal surface transportation programs for highways, highway safety, and transit for the six-year period from 1998 to 2003. Section 1101(b) of the act (DBE) states that except to the extent that the Secretary determines otherwise, not less than 10 percent of the amounts made available for any program under Titles I, III, and V of this act should be expended with small business concerns owned and controlled by socially and economically disadvantaged individuals. USDOT's most recent surface program reauthorization, SAFETEA-LU, enacted in 2005, extended the DBE program to USDOT's highway and safety research program. Subrecipients are required to submit the Uniform Report of DBE Commitment and Awards and Payments to the PTT by May 25 and November 25 of each year for the applicable reporting period.

### **Surveillance, Preventive Maintenance, Quarterly Reports, and Accidents/Incidents**

Refer to Section 5.2 for reporting requirements for Section 5310 program and for information on surveillance, preventive maintenance, and quarterly reporting for vehicles.

### **Property Insurance**

The PTT requires all subrecipients to maintain adequate insurance coverage (collision, comprehensive, liability, uninsured motorist, no fault, flood hazards, Federal Motor Carrier Safety, fire, etc.) as required by federal, state, and local law and to provide assurance of coverage to protect FTA's interest in the property. This includes all vehicles, equipment, facilities, and other property as defined by FTA Circular 5010.1D, Grant Management Requirements. The subrecipient must comply with all applicable motor vehicle laws, and secure a certificate of insurance covering each motor vehicle demonstrating that the subrecipient has obtained all insurance required by state and federal law. The subrecipient is required to obtain the minimum specified coverage for the following categories:

- Bodily Injury Liability: Minimum specified by state and federal law, whichever is greater.





- Property Damage Liability: Minimum specified by state and federal law, whichever is greater.
- Collision: An amount equal to at least 100 percent of the property value during the period of coverage or minimum specified by state and federal law, whichever is greater.
- Comprehensive: An amount equal to at least 100 percent of the property value during the period of coverage or minimum specified by state and federal law, whichever is greater.
- Uninsured Motorist: An amount equal to at least 100 percent of the property value during the period of coverage or minimum specified by state and federal law, whichever is greater.
- No Fault: Minimum specified by state and federal law, whichever is greater.
- Flood Hazards: The subrecipient agrees to comply with the flood insurance purchase provisions of Section 102(a) of the Flood Disaster Protection Act of 1973, as amended, 42 USC 4012a(a), with respect to any project activity involving construction or an acquisition having an insurable cost of \$10,000 or more. Insurance coverage should be for an amount equal to at least 100 percent of the property value during the period of coverage or minimum specified by state and federal law, whichever is greater.

This insurance is required to continue uninterrupted throughout the period of required use. For facilities and other non-vehicle property, the subrecipient must obtain insurance coverage for an amount equal to at least 100 percent of the property value during the period of coverage or minimum specified by state and federal law, whichever is greater. Property is required to be insured against theft, vandalism, fire, earthquake, flood, and wind.

### **Use of Property**

Federally funded property must be used by the subrecipient in the program or project for which it was acquired, and the use must meet the definition of public transportation as defined in this SMP. Property should first be utilized to meet the needs under the program for which it was acquired. However, the PTT encourages maximum use of property funded under its programs. The PTT encourages the sharing of vehicles or other equipment as long as it does not disrupt the original intended use. PTT policy requires subrecipients to notify the PTT immediately if property is not used in the approved program or project or if it is used in a manner substantially different from that described in the project scope. The PTT will provide guidance and assist the subrecipient in approving alternative uses or disposing of the property.

If property use is not as approved or intended or property is no longer needed, the PTT will consider several options. First, the PTT and the subrecipient should consider ways to increase usage within the approved project and program. As long as the original intended use is not disrupted and receives priority, the property may be used for other public transportation services that are allowed and in compliance with federal regulations. For instance, a vehicle purchased with Section 5310 funds may be considered for service to the general public in addition to service for senior individuals and individuals with disabilities, provided the latter remain the priority.

Second, the property can be transferred to any eligible subrecipient as described herein if the property will continue to be used in accordance with the requirements of the project proposal and



grant program. The subrecipient receiving the property must comply with all applicable state and federal requirements. The names of the entities involved in the transfer of property, as well as a description of the property transferred, should be included in a new or revised POP. The transfer may be shown in the POP for any active grant. It does not have to be in the grant under which the property was originally funded. For any transfer of property for which a federal interest remains, the new owner must reimburse the original subrecipient the prorated value of the local match calculated using straight line depreciation. For example, if a vehicle with five years of useful life is transferred after four years, the new owner must reimburse the original owner in an amount equal to 40 percent of the original local match. The reimbursement value will be calculated based on the total match, the useful life, and the total months the bus has been in service (see the example below):

$$\text{Local Match} - ((\text{Local Match}/\text{Useful Life (in Months)}) \times \text{Total Months in Service}) = \text{Reimbursement Value}$$

$$\$12,000 - ((\$12,000/60) \times 48) = \$2,400$$

Third, property, including land, that is no longer needed for the purpose for which it was acquired can be transferred to a local governmental authority to be used for a public purpose other than transportation with no further obligation to the federal government, if authorized by the PTT, who will secure authorization from the FTA. If the property cannot be used within the applicable grant program, the PTT may consider transferring the property to another FTA grant program.

Finally, if no additional use can be found for the property, it will be disposed of according to PTT policy. For any transfer of property for which a federal interest remains, the new owner must reimburse the original subrecipient the prorated value of the local match calculated using the straight line depreciation method outlined above.

Subrecipients are required to maintain satisfactory records regarding the use of the property. All vehicle usage and accidents must be reported by subrecipients in the PTT Online system. Facility use documentation must be available at any time to the PTT. Subrecipients are also required to submit an annual report to the PTT providing assurance that project property exists and is being used and maintained in accordance with the project proposal filed by the subrecipient with the PTT.

### **Incidental Use**

The PTT encourages subrecipients to look for incidental use opportunities so long as the incidental use does not interfere with the original property use. PTT policy requires the subrecipient to receive PTT approval prior to allowing incidental use. PTT policy also requires subrecipients to document incidental use and revenues once the use has been approved. In addition to not



interfering with the original project and program use, several requirements for incidental use must be met:

11. The subrecipient must maintain continuing control over the property. Incidental use agreements must contain appropriate provisions maintaining the subrecipient's control.
12. The subrecipient must fully recapture all costs related to the incidental use from the non-transit public or private entity, including all applicable excise taxes on fuel for fueling facilities and wear and tear to capital improvements.
13. The subrecipient must use revenues received from the incidental use for capital and/or operating expenses that were or will be incurred to provide the public transportation.
14. Private entities must pay all applicable excise taxes on fuel.

### **Leasing**

To maintain continuing control over federally funded assets, leasing is not permitted. However, the PTT encourages vehicle coordination with agencies to maximize vehicle usage (see the Mobility Management discussions in Sections 2.8, 5.2, and 5.3).

### **Property Maintenance**

Federally funded property must remain in good operating order at a high level of cleanliness and safety. PTT policy requires a written maintenance plan to be in place and approved prior to property use. These plans should cover all property, including vehicles, facilities, ADA features, and equipment, and should describe a system of periodic inspections and preventive maintenance to be performed at certain defined intervals. Plans must include pre-trip inspection, surveillance inspection, and preventive maintenance inspection requirements. These three inspection types are the minimum requirements; additional inspections may be required. The PTT will either provide a maintenance plan based on manufacturer's recommendations or the subrecipient can submit their own plan for approval. If the subrecipient opts to use a PTT-provided plan, the subrecipient will be responsible for submitting all manufacturer requirements to the PTT for plan development. All plans must meet the minimum manufacturer requirements for maintenance.

PTT policy requires subrecipients to have a system in place to track property warranties, identify warranty claims, record claims, and enforce warranty claims against the manufacturer. Subrecipients are responsible for ensuring that maintenance costs covered by warranties are recovered from the manufacturer and are not submitted for reimbursement.

Subrecipients are required to maintain satisfactory records regarding the maintenance of property, including warranty claims. All vehicle maintenance inspections and services must be reported by subrecipients in the PTT Online system. Facility and equipment maintenance documentation must be available at any time to the PTT.



### **Property Title and Lien**

Subrecipients must include UDOT as a lien holder when completing registration, insurance, and other forms. The lien or covenant will be released when the useful life and disposition standards have been met and any non-compliance findings are resolved. The federal interest expires when the property reaches its useful life and the vehicle value is less than \$5,000. These requirements exist to protect the federal interest and to maintain continuing control over property.

### **Useful Life**






Useful life indicates the expected lifetime of capital purchases, or the acceptable period of use in service. When the useful life has been reached and the vehicle has a resale value of less than \$5,000, the PTT returns the property title or ownership documents to the subrecipient and cancels its lien.

PTT, at its discretion, may extend useful life of capital purchases. Situations, including non-compliance of Federal and/or PTT regulations and contracts, non-use of equipment, low vehicle miles and inconsistent maintenance, are examples of where by PTT may extend a vehicles useful life.

### **Vehicles**

Useful life of vehicles begins on the date the PTT takes possession of the vehicle and continues until the vehicle reaches the useful life minimum criteria outlined in Table 3.4, below. The useful life minimum refers to total time or miles in revenue service, not time spent stockpiled or otherwise unavailable for regular transit use. The PTT useful life policy revisions will be effective upon document approval. All vehicles procured under the 2012 SMP will be held to the 2012 Useful Life policy.

**Table 5.6: Vehicle Types and Useful Life**

PTT Category	Photo	Approx. GVWR	Number of Seats	Approximate Length	Useful Minimum Life
A: Large, Heavy-Duty Transit Bus and Articulated Buses		33,000 – 40,000 lbs.	35 – 40+	35 – 40 ft. or greater	12 years or 500,000 miles
B. Medium-Size, Heavy-Duty Transit Bus		26,000 – 33,000 lbs.	25 – 35	30 – 35 ft.	10 years or 350,000 miles
C. Medium-Size, Medium-Duty Transit Bus & Truck Chassis Cutaway Bus		10,000 - 26,000 lbs.	16 – 30	25 – 30 ft.	7 years or 200,000 miles
D. Medium-Size, Light-Duty Bus & Van Chassis Cutaway Bus		10,000 – 16,000 lbs.	12 – 16	20 – 25 ft.	7 years or 150,000 miles
E-1: Small, Light-Duty Bus E-2: Modified Vans E-3: Modified Minivans (33,000 – 40,000 lbs.) E-4: Vans E-5: Minivans E-6: Station Wagons E-7 Sedans		6,000 – 14,000 lbs	3 – 14	E-1: 20 – 22 ft. E-2: < 20 ft. E-3: < 20 ft. E-4 through E-7: < 20 ft.	5 years or 100,000 miles

### **Rehabilitated Vehicles**

The PTT does not allow for the procurement of rehabilitated vehicles.



## **Facilities**

With regular maintenance, assets will operate at the same level on first and last day of service, throughout their useful life. In general, assets within their useful life are considered to be in a state of good repair. (The FTA website includes the following information regarding state of good repair, “State of good repair is the condition where all assets perform their assigned functions without limitation.”) Subrecipients must apply the following useful life standards to facilities funded through the PTT:

- Passenger shelters such as pre-fabricated metal, glass, Plexiglas, and stick-frame structures: Useful life of 20 years
- Bus barns such as site-built “pole barns” or other stick-frame barns: Useful life of 40 years
- Administration and maintenance buildings (including additions): Useful life of 40 years
- Concrete pavement infrastructure: Useful life of 20 years
- Fencing: Useful life of 20 years
- Office furniture: Useful life of 10 years

## **Other Equipment**

For other equipment with an acquisition value greater than \$5,000, the PTT determines useful life standards on a case-by-case basis that reflects the manufacturer’s estimated useful life. The subrecipient should propose a useful life in its project proposal.

## **Disposal**

UDOT will release the lien when the useful life and disposition standards have been met and any non-compliance findings are resolved. The federal interest expires when the property reaches its useful life and the vehicle value is less than \$5,000. These requirements exist to protect the federal interest and to maintain continuing control over property

## **Selling Prior to Meeting the Useful Life.**

If a subrecipient desires to dispose of the property before it meets the end of its useful life, and an alternative use cannot be found as described above, the property may be sold with the PTT and FTA approval. The subrecipient must submit a request to the PTT. If a sale is approved by the PTT, proceeds do not need to be returned to the PTT or FTA; however, all proceeds must continue to be used for public transportation purposes within the program from which it originated.

The UDOT PTT will apply a straightline depreciation formula to vehicles to assist in determining the depreciated value of Federally funded vehicles.

Example Straightline Depreciation	
<b>Cost</b> (purchase price)	\$48,000



<b>Salvage</b> (estimated value)*	\$7,900		
<b>Life</b> (years in service)	5		
<b>Depreciation</b> ((cost-salvage) / life)	\$8,020.00		
<b>yr</b>	<b>vehicle value</b>	<b>vehicle depreciation</b>	<b>depreciated value</b>
<b>1</b>	\$48,000	\$8,020	<b>\$39,980</b>
<b>2</b>	\$39,980	\$8,020	<b>\$31,960</b>
<b>3</b>	\$31,960	\$8,020	<b>\$23,940</b>
<b>4</b>	\$23,940	\$8,020	<b>\$15,920</b>
<b>5</b>	\$15,920	\$8,020	<b>\$7,900</b>
<b>6</b>	Less than \$5,000		
*based on estimated value - commercialtrucktrader.com			

If the subrecipient receives insurance proceeds when the property has been lost or damaged by fire, casualty, or natural disaster, the subrecipient must apply those proceeds to the cost of replacing the property or return to the PTT an amount equal to the remaining federal interest in the property.

### **Selling After the Useful Life**

Prior to selling the vehicle, the subrecipient must notify the PTT of its intent. The PTT will work with the subrecipient to identify the value of the vehicle. The PTT will apply the straightline depreciation formula above to assist in determining the depreciated value of Federally funded vehicles.

If the subrecipient chooses to sell the vehicle, and the market value of the vehicle is \$5,000 or more, the PTT requires reimbursement of the proportionate share (80% Fed/20% Local) of the net proceeds from the sale. Reimbursed proceeds will go back into the grant program from which the vehicle funds were utilized. The funds will then be shown in future grant applications. FTA has no federal interest in vehicles with a fair market value of less than \$5,000.



## CHAPTER 6. FTA TRANSIT PROGRAMS MANAGED BY UDOT TRAFFIC & SAFETY

The information in this chapter is applicable to MAP-21 funding, meaning FFY2013 and beyond.

### 6.1 Section 5329 Safety and Security Oversight (MAP-21)

FTA requires states with defined rail fixed guideway systems (including light rail and heavy rail transit, monorails, trolleys, etc.) to conduct safety and security oversight of those systems. In the State of Utah, UDOT is the designated agency for safety and security oversight of rail fixed guideway safety systems. UTA's TRAX light rail and the Sugar House Streetcar are currently the only rail fixed guideway system under the jurisdiction of the SSO. Safety and security of UTA's Frontrunner system falls under the purview of the Federal Railroad Administration (FRA).

The SSO Program under MAP-21 is still in the development stage. UDOT and other SSO agencies nationwide are still in the process of working through how best to manage the program. Procedures, reporting, and other program elements are continuing to be developed through an iterative process with FTA.

#### Program Goals

The overall goals of UDOT's SSO Program are reducing the potential for safety and security incidents and increasing awareness of safety and security. The SSO is intended to address these and related objectives in a proactive manner, with the belief that preventing incidents through reasonable measures is preferable to reacting to them after they occur. For the procedures and standards of the State Safety Oversight Program (SSO), please visit:

- UDOT State Safety Oversight: <http://www.udot.utah.gov/main/f?p=100:pg:0:::1:T,V:4456>,

#### Eligible Activities, Roles, & Responsibilities

The **SSO Manager** is the person at UDOT responsible for meeting the requirements of the FTA SSO program under MAP-21. This person is on call 24 hours a day, 7 days a week and receives text messages and emails immediately when an incident occurs, typically followed by a phone call within two hours if he or she has not responded to the scene. The **SSO Manager** has the right to conduct incident investigations alone, jointly with UTA, or delegate the investigation completely to UTA. Monitoring of construction activities may consume much of this person's time during periods when UTA is constructing new transit lines.

The **SSO Manager** is assisted in all duties as needed by the **Chief Railroad Engineer** (who also is responsible for monitoring all railroad grade crossings). This person is also the designated backup for times when the **SSO Manager** is unavailable.





In addition to these two staff roles, two teams of consultants assist with various aspects of the SSO Program. **Consultant A** serves as an SSO Technical Advisor, while **Consultant B** serves in an Administrative Support role.

Specific SSO Program duties eligible for Section 5329 funding (and which UDOT plans to carry out) are listed below. Duties supported by consultants are denoted by “**A**” or “**B**” at the end of each bullet. The **SSO Manager** is ultimately responsible for ensuring that all duties are accomplished.

- Assisting UTA with continuing to improve crash investigation procedures, including post-accident testing and research
- Assuring through periodic audits and onsite visits that UTA is accurately reporting all incidents that meet reporting thresholds
- Communicating opportunities for personal training, funding grant opportunities, and other potential resources that could assist UTA with improving their program
- Providing weekly onsite visits (scheduled and unscheduled) to UTA to observe and audit transit operations, maintenance, security, and construction
- Participating in UTA safety and security committee meetings involving FTA, UDOT, and UTA, and providing guidance to UTA through quarterly planning meetings
- Assisting UTA’s Security Chief and Emergency Management Administrator in meeting FTA requirements for emergency response training, Homeland Security requirements, coordinating with local police and fire emergency response, and crash investigation needs
- Hiring and supervising specialty contractors and consultants to supplement (but not take responsibility for) oversight activities, and make sure their contracts get closed out when complete
- Organizing and conducting annual integrated safety reviews with other oversight agencies (FRA, OSHA, TSA) and all transit functions, including engineering, construction, operations, safety, public safety, security, and emergency response
- Assisting UTA in developing their System Safety Program Plan (SSPP) **(A)**
- Assisting UTA with transitioning to the Safety Management System (SMS) and new requirements of MAP-21 **(A)**
- Reviewing design guidelines and engineering oversight processes **(A)**
- Reviewing hazard identification and analysis at design, construction, and operation phases of projects **(A)**
- Reviewing and auditing the System Security Plan (SSP) to ensure that it meets all regulatory requirements and that UTA’s processes and practices match the SSP **(A)**
- Reviewing and auditing the Emergency Preparedness Plan (EPP) to ensure that it meets all regulatory requirements and that UTA’s processes and practices match the EPP **(A)**
- Conducting required comprehensive three-year safety and security reviews **(A)**
- Participating in the major crash review process and assisting in determining primary causes of crashes **(A)**



- Reviewing UTA overall safety and security plans that cover bus, commuter rail, and workplace safety, and assisting UTA with creating a coherent and coordinated overall safety program **(A)**
- Working with UTA and FTA to establish safety performance goals and targets **(A)**
- Working with UTA and FTA to reconcile, coordinate, and refine safety and environmental processes across National Environmental Protection Act (NEPA), Project Management Oversight (PMO), safety certification, and FTA triennial review activities **(A)**
- Preparing regular reports to FTA, UDOT, UTA, and the Governor's Office **(A)**
- Conducting periodic SSO performance reviews of transit agency safety in conjunction with audits and compliance reviews **(A)**
- Tracking incident reports to ensure they are complete and acceptable for adoption by UDOT **(B)**
- Ensure proper notification and coordination takes place for all incidents **(B)**
- Helping UTA improve crash investigation tracking and close out of corrective action plans **(B)**
- Reviewing UTA's Corrective Action Plan logs, assuring that UTA is completing corrective actions as described in the logs **(B)**
- Conducting onsite reviews of UTA's Hazard Management Plan, determining if it is a functional plan, and assisting UTA in implementing it **(B)**
- Participating in the internal audits of functional areas described in UDOT's SSO Program Procedures and Standards **(B)**
- Attending meetings with UTA including a quarterly review meeting **(B)**
- Ensuring compliance with all MAP-21 requirements applicable to the SSO (many of these requirements are still in flux and will be worked out with FTA as the SSO moves forward) **(B)**
- Submit quarterly MPR reports to FTA **(B)**
- Submit annual SSO report to FTA **(B)**

In addition to the above-mentioned duties that will involve staff salaries and consultant contracts, SSO Program funding may be used to cover administrative and direct costs such as SSO-related training, conferences, office supplies, and travel costs incurred to support activities outlined above.

### **Reporting Requirements**

UDOT must submit quarterly financial reports (FFRs) and milestone progress reports (MPRs). These reports are due no later than 30 days after the end of each federal fiscal quarter. For example, the report for the October-December quarter is due by January 30<sup>th</sup> of the following year. Quarterly reports must capture the status of developing and implementing MAP-21 compliant programs. The UDOT Comptrollers office submits the FFRs. The MPRs are submitted by the SSO Manager or his administrative consultant through FTA's web-based system.

### **Federal Financial Report (FFR)**

The purpose of the FFR is to provide a current, complete, and accurate financial picture of the grant. It is prepared on the accrual basis of accounting. It contains financial facts, financial data, and is based on required supporting documentation.



### **Milestone Progress Report (MPR)**

The MPR is the primary written communication between the grantee and FTA. It is used to track progress at the budget level. The MPR is initially based on the milestone schedule completed when the application is first created, submitted, and approved. The electronic grants system also allows for milestones to be added at the project and scope levels.

### **FTA Web Application**

Formula grant recipients are required to utilize the FTA web-based system to acquire funds and report on grants. FTA offers TEAM trainings and has published a user guide at:

<http://ftateamweb.fta.dot.gov/static/userguide.html>. Updates and changes to this software are ongoing. FTA is scheduled to release TrAMS (Transit Award Management System) in 2015. TrAMS will replace TEAM as the online application and reporting system.

### **Grant Cycle**

The grant cycle is described in detail below, and includes the following key tasks:

- Creation of grant application and approval
  - Money is obligated
  - Grant award is executed
- Project management
- Project closeout

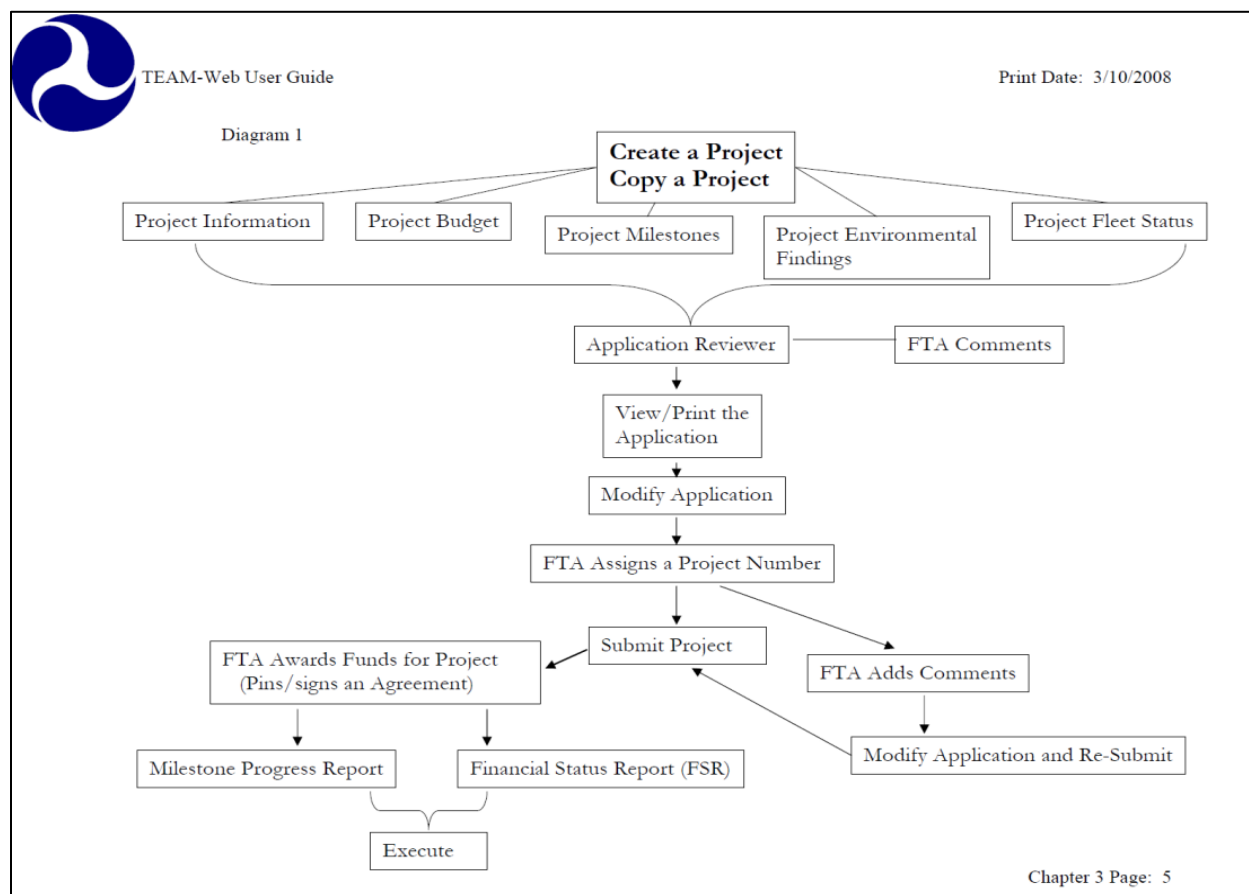
### **Grant Application Creation**

Once the SSO Manager receives notice that grant funds are available, TEAM is open to accept applications for those appropriated funds. To do so, the SSO Manager must do the following (see Figure 6.1):

- SSO Manager creates a POP for the funds. A POP consists of the exact dollar amount appropriated for the grant. The dollar amount must total the exact amount appropriated to the state.
- SSO Manager uploads the POP into TEAM. TEAM requires a detailed scope, activity line items, environmental requirements, etc.
- After uploading the POP, the SSO Manager does not officially complete the submittal. Instead, he or she saves the information in the system and notifies FTA Region VIII that the grant is ready for review.
- FTA completes a thorough review of the grant, including:
  - Grant information (program, costs, contact info, etc.)
  - Budget (detailed tasks and costs)
  - Milestones (schedule of deliverables)
  - Environmental findings (required classification)
  - Attachments (POP, etc.)

- FTA Region VIII notifies the SSO Manager when to submit the grant. Once FTA approves, the PTT Director will PIN the grant (see section 3.2 for a description of this process). The grant is then ready for expenses to be encumbered against it.

**Figure 6.1: Grant Setup in TEAM**



### FTA Project Management

In October of each year, FTA requires a detailed status report of the grant and, if needed, a grant modification. With the exception of closing a grant, updates can be completed at any time. The following reports are required (listed with the responsible party):

- Progress Report:
  - Schedule (milestones/progress) – SSO Manager
  - Financial progress (status report) – UDOT Comptroller's Office
- Modify Project:
  - Schedule (milestones/progress) – SSO Manager
  - Activities (revise grant budget) – SSO Manager
  - Scope and budget (create amendment) – SSO Manager



### **Project Closeout**

After the last consultant invoice is received and all UDOT staff billings have been posted, the SSO Manager has the Comptroller complete a final draw. A final milestone is entered into TEAM. At this point the grant is complete and can be closed.

### **Financial Management**

The UDOT Comptroller's Office accounts for federal grant funds using its own financial management systems authorized by state law and procedure. Fiscal controls and accounting procedures used by the state permit the preparation of financial management reports required by both the Common Rule and the grant authorization statute, and permit the tracing of funds to a level of expenditure that demonstrates whether funds are being spent in compliance with applicable statutes and other grant requirements.

The FTA Region VIII office notifies UDOT of publication of the annual apportionments in the *Federal Register* ([www.gpoaccess.gov](http://www.gpoaccess.gov)) in approximately January of each year. Once that occurs, the following steps are taken:

1. SSO Manager prints a copy of the grant and forwards it to the Federal Grant Manager in the UDOT Comptroller's Office.
2. UDOT Comptroller enters the grant into the State Financial System and assigns FINET and Phase numbers to the grant. All contracts utilizing funds from a grant will be under the assigned FINET and Phase numbers and encumbered against the grant.

### **Grant Administration**

The state is appropriated formula grant dollars for the SSO program. FTA sends notification of program funds annually. In addition, FTA sends each state the FY annual list of Certifications and Assurances and Master Agreement. By signing/pinning the Certifications and Assurances, UDOT signifies the intent to comply with all applicable provisions, acting as a contract between FTA and the state. The PTT Director handles pinning and signing of certifications and assurances. See Section 3.2 for a description of this process. The SSO Manager receives and reviews an electronic copy of the master agreement, certifications, and assurances annually.

### **Match Requirements**

Federal SSO formula grant funding requires a 20% match to be provided. UDOT is planning to have Salt Lake County provide the matching funds.

### **Consultant Invoicing**

Consultants that assist with SSO duties will need to submit invoices. The process for their invoice submittals and reviews is as follows:

15. Consultant submits regular monthly invoicing to the SSO Manager. Months may be skipped if no work was performed during that month.



16. Invoices must contain the following information at a minimum:
  - a. Completed UDOT Consultant Services Payment Request form.
  - b. Completed UDOT Consultant Services Progress Report form.
  - c. Summary of hours worked and pay rates applicable for each employee during the invoice period (except in the case of lump sum contracts).
  - d. Backup documentation and receipts for any direct expenses incurred and being billed to the project (except in the case of lump sum contracts).
17. The SSO Manager reviews invoices for accuracy and compliance with the required criteria.
  - a. If the invoice is acceptable, the SSO Manager signs and sends it to the Comptrollers Office for them to remit payment to the consultant.
  - b. If the invoice is not acceptable, the SSO Manager returns it to the consultant with instructions about what needs to be changed for it to be accepted, then the consultant corrects and resubmits the invoice.
18. For invoices from consultants not involved with Program Management duties, the SSO Manager can at his or her direction assign those invoices to be reviewed and processed (as described above) by a Program Management Support consultant. Invoices from consultants involved in Program Management support duties cannot be reviewed and approved by another consultant and must be submitted in all cases directly to the SSO Manager so as to avoid any conflicts of interest.

### **Consultant Contract Closeout**

Consultant contracts will need to go through the standard closeout process required by UDOT Consultant Services. The contract closeout steps are as follows:

19. Consultant submits final invoice.
20. SSO Manager reviews the invoice for completeness and accuracy.
21. SSO Manager fills out the standard Consultant Evaluation form and sends it to the consultant for them to sign and date.
22. SSO Manager submits the final invoice along with the completed Consultant Evaluation form to the Comptrollers office.
23. Comptrollers pay the final invoice and close the contract in UDOT's internal systems and FINET.

The SSO Manager can use a Program Management Support consultant to assist with closing out contracts for other consultants but cannot allow a consultant to process their own contract closeouts.

### **Contract Modifications**

Contract modifications are used to extend the time period of a contract or to add or reduce the amount of the original contract. Modifications must go follow the standard process required by UDOT Consultant Services. This process is as follows:



24. SSO Manager requests a contract modification in UDOT's Contract Management System (CMS).
25. UDOT Consultant Services approves the CMS request and notifies the consultant to enter their information.
26. SSO Manager reviews the consultant's submittal.
  - a. If the submittal is acceptable, the SSO Manager submits it to Consultant Services in CMS.
  - b. If corrections are needed, the SSO Manager returns the transaction to the consultant in CMS and notifies them of the necessary changes. Once everything is acceptable, the SSO Manager submits the transaction to Consultant Services in CMS.
27. Consultant Services reviews the submittal.
  - a. If the submittal is acceptable, Consultant Services creates the contracts and circulates them for internal signatures.
  - b. If revisions are needed, Consultant Services returns the transaction to the consultant with notification about the necessary changes. Once everything is acceptable, Consultant Services then creates the contracts and circulates them for internal signatures.
28. Consultant Services sends the contracts to the consultant for signature.
29. Consultant returns the signed contracts to Consultant Services.
30. Consultant Services takes the contracts to the Comptrollers office for their signature.
31. Once the Comptrollers have affixed their signature, Consultant Services notifies the consultant and the SSO Manager of their Notice to Proceed.

The SSO Manager can use a Program Management Support consultant to help modify other consultant contracts but cannot allow a consultant to be involved in modifying their own contracts.

### **Deobligation of Federal Funds**

Deobligating funds is the process of notifying FTA of unused funds. UDOT Traffic and Safety works hard to utilize all federal funds that are appropriated to the state and only deobligates funds when absolutely necessary. However, there are cases when all of the allocated funds may not be spent, especially at the outset of the program when requirements and procedures are still being worked out collaboratively with FTA. The SSO Manager has the discretion to deobligate these funds. To do so, the SSO Manager must use TEAM.

## **CHAPTER 7. RESOURCES**

Transportation funding and the laws and guidelines that govern the implementation of the various transportation programs are fluid and subject to change. The programs discussed above and their circulars will, at some point, evolve or be replaced. With that in mind, it is important to utilize the sources below for assistance with day-to-day work as well as to stay tuned in to the dynamic transportation/transit field.



The resources below are grouped by external (other agencies/sites/programs) and internal guidance. It is important to gain a familiarity with all of them.

## **External Guidance**

### **FTA**

- FTA Home Page:  
<http://www.fta.dot.gov/>
- MAP-21:  
<http://www.fta.dot.gov/map21.html>
- Grants and Financing:  
[http://www.fta.dot.gov/grants\\_financing.html](http://www.fta.dot.gov/grants_financing.html)
- National Transit Database:  
<http://www.ntdprogram.gov/ntdprogram/>
- Procurement:  
[http://www.fta.dot.gov/funding/grants\\_financing\\_6036.html](http://www.fta.dot.gov/funding/grants_financing_6036.html)
  - FTA Circular 4220.1F Third-Party Contracting Guidance:  
[http://www.fta.dot.gov/documents/FTA\\_Circular\\_4220.1F.pdf](http://www.fta.dot.gov/documents/FTA_Circular_4220.1F.pdf)
  - FTA Best Practices Procurement Manual:  
[http://www.fta.dot.gov/documents/BPPM\\_fulltext.pdf](http://www.fta.dot.gov/documents/BPPM_fulltext.pdf)
  - FTA Construction Project Management Handbook:  
[http://www.fta.dot.gov/documents/Construct\\_Proj\\_Mangmnt\\_CD.pdf](http://www.fta.dot.gov/documents/Construct_Proj_Mangmnt_CD.pdf)
  - FTA ITS Architecture Policy Guidance:  
[http://ops.fhwa.dot.gov/its\\_arch\\_imp/policy\\_2.htm](http://ops.fhwa.dot.gov/its_arch_imp/policy_2.htm)
  - FTA Master Agreement:  
<http://www.fta.dot.gov/documents/21-Master.pdf>
  - USDOT Common Grant Rule, 49 CFR 18  
[http://www.access.gpo.gov/nara/cfr/waisidx\\_05/49cfr18\\_05.html](http://www.access.gpo.gov/nara/cfr/waisidx_05/49cfr18_05.html)

### **Transportation Research Board**

- <http://www.trb.org/AboutTRB/AboutTRB.aspx>

### **RTAP**

- <http://www.nationalrtap.org/>

### **Utah Urban Rural Specialized Transportation Association (URSTA)**

- <http://www.ursta.org/>

### **National Center for Mobility Management**

- <http://nationalcenterformobilitymanagement.org>





## **American Public Transportation Association (APTA)**

- <http://www.apta.com/Pages/default.aspx>

## **Internal Guidance**

### **UDOT PTT**

- PTT Home Page:  
<http://www.udot.utah.gov/publictransit>
- Link from the home page to:
  - Awarded Projects
  - Title VI Training Resources
  - PTT Online
  - UDOT FTA Title VI and DBE Programs
  - PTT Staff and Assignments
  - PTT Compliance, Documents, Forms, and Other Resources
  - Public Transit Plans and Studies



## **APPENDIX**



## **APPENDIX A      PTT ANNUAL SCHEDULE**

 Submittal  
Dates  
 Submittal  
Periods

**APPENDIX B          PROGRAM of PROJECTS**

BUS AND BUS FACILITIES FORMULAS (SECTION 5339) PROGRAM OF PROJECTS

DESIGNATED RECIPIENT:Utah Department of Transportation

CARRYOVER:0

CFDA #: 20.526

APPORTIONMENT(DM):\$0

(FTA Section 5339) FFY:

APPORTIONMENT(DS):\$0

Total Number of Subrecipients funded in this Program of Projects: 0

SUBRECEPIENT				****	PROGRAM					NET PROJECT COST	
NAME/ADDRESS/TELEPHONE/EMAIL/	WEBSITE	SUB TYPE (private/public non-profit)	SERVICE AREA (Include cities and counties)	Category of Approval A or B	ACTIVITY (Type of Bus or Facility )	PROJECT DESCRIPTION (Include ALI's per project and quantity if applicable)	SERVICE AREA	**CONGRESS DISTRICT	TRIBAL Yes or N/A	CAPITAL	
Small Urbanized Areas (50,000-200,000)											
				A			DM - Small Urbanized:		N/A	\$0.00	
1				A			DM - Small Urbanized:			\$0.00	
				A			DM - Small Urbanized:			\$0.00	
				A			DM - Small Urbanized:			\$0.00	
Small Urban Totals										\$0.00	
State/Territory Funds											
1				A			DS - Rural:		N/A	\$0.00	
				A			DS - Rural:		N/A	\$0.00	
				A			DS - Rural:		N/A	\$0.00	
				A			DS - Rural:			\$0.00	
				A			DS - Rural:			\$0.00	
Rural Totals										\$0.00	
PROGRAM OF PROJECTS TOTALS											
(5339) Program of Projects Subtotals										\$0	
<div><div><div>Subrecipients: public agencies or private nonprofit organizations engaged in public trnsortation, including those providing services open to a segment of the general public, as defined by age, disability,or low income.</div><div>** Congressional Districts<div>District 1Box Elder, Cache, Rich, Summit, Daggett, Duchesne, Weber, Odgen, Davis, Morgan and Uintah Counties</div><div>District 2Tooele, Juab, Millard, Beaver, Iron, Wasington, Sanpete, Sevier, Piute, Wayne, Garfield, Kane Counties and Salt Lake City, West Valley City and Bountiful</div><div>District 3Wasatch, Carbon, Emery, Grand, San Juan Counties, Orem City and Provo City</div><div>District 4Salt Lake, Utah Counties, Sandy City, Nephi City and Mt Pleasant City</div></div></div><div><div>*** Eligible Project Type</div><div>(A) Funding to replace, rehabilitate and purchase buses and related equipment and to construct bus-related facilities</div></div></div>											
<div><div>**** Category of Approval A or B</div><div><div>Category A: These projects have certified as having met all the federal statutory and administrative requirement for approval applicable to both the project activities and subrecipients that will carry out those activities.</div><div>Category B: These project are those that expect to get approving during the current year, but which have notmet all the federal statutory or administrative requirement or are proposed to be implemented by a subrecipient that has nott met all the Federal requirements. For example, a major capital project other than vehicle purchase in Category B may be a project that has not yet completed the NEPA process or other federal environmental requirements.</div></div></div>											

# FORMULA GRANTS FOR RURAL AREAS (SECTION 5311) PROGRAM OF PROJECTS

DESIGNATED RECIPIENT: Utah Department of Transportation

CARRYOVER: \$0

Total 5311 Program Amount

\$0

APPORTIONMENT(5311): \$0

Total Intercity Bus Amount

\$0

(FTA Section 5311) FFY: 2013

APPORTIONMENT(RTAP): \$0

STATE ADMINISTRATION: \$0

Total Number of Subrecipients funded in this Program of Projects: 0

Total Operating RTAP Amount

\$0

10% Administration Amount

\$0

C

SUBRECIPIENT			Category A or B	PROGRAM						AWARD AMOUNT						
NAME/ADDRESS/TELEPHONE/EMAIL/ WEBSITE		SUB TYPE (Non-Profit/Public/Operators of Public Transportation or *Intercity Bus Service)		ACTIVITY (Capital/Operating/Project Admin/Planning)	PROJECT DESCRIPTION (Include ALI's per project and quantity if applicable)	**CONGRESS DISTRICT	RTAP or State Administration FTA Share	***Eligible Project Type	TRIBAL Yes or N/A	NET PROJECT COST			FEDERAL SHARE			
										Project Admin 100%	Capital 100%	Operating 100%	Project Admin 80%	Capital 80%	Operating 80%	Project Admin 80%
Section 5311 (Capital, Planning, and Project Administration) Projects																
1										\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2										\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
3										\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
4										\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
										\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Totals										\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Intercity Bus Program																
5										\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
6										\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
										\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
RTAP & State Administration																
	RTAP						\$0.00									
	State Administration						\$0.00									

## PROGRAM OF PROJECTS TOTALS

Program of Projects Subtotals \$0.00 \$0.00 \$0.00 \$0 \$0 \$0 \$0

Program of Projects Totals \$0 \$0 \$0

\*\* Congressional Districts District 1 Box Elder, Cache, Rich, Summit, Daggett, Duchesne, Morgan and Uintah Counties  
District 2 Tooele, Juab, Millard, Beaver, Iron, Wasington, Sanpete, Sevier, Piute, Wayne, Garfield, Kane Counties  
District 3 Wasatch, Carbon, Emery, Grand, San Juan Counties

\*\*\* Eligible Project Type

(A) 5311 Capital Expenses: Eligible capital expenses include the acquisition, construction, and improvement of public transit facilities and equipment needed for a safe, efficient, and coordinated public transportation system as well as certain other expenses classified as capital in Section 5302(3).

(B) 5311 Operating Expenses: Operating expenses are those costs directly related to system operations. At a minimum, States must consider the following items as operating expenses: fuel, oil, drivers' salary and fringe benefits, dispatcher salaries and fringe benefits and licenses. Only net operating expenses are eligible for assistance. Maintenance is considered as part of the operating system.

(C) 5311 Project Administrative Expenses: Eligible administrative expenses include: salaries of the project director, secretary, an bookkeeper; marketig expenses; insurance premiums; office supplies; facilities and equipment rental; standard overhead rates; and the costs of administering drug and alcohol testing.

(D) Job Access and Reverse Commute Projects: Projects to finance planning, capital, and operating costs that support the development and maintenance of transportation services designed to transport welfare recipients and eligible low income individuals to and from jobs and activities related to their employent, including transportation projects that facilitate the provision of public transportation services from urbanized areas and rural areas to suburban employment locations.

Note: Although private non-profit organizations are not eligible sub-recipients for other Section 5311 funds, private non-profit organizations may receive funding for job access and reverse commute projects as a subrecipient.

\*\*\*\* Category A or B

Category A: These projects have certified as having met all the federal statutory and administrative requirement for approval applicable to both the project activities and subrecipients that will carry out those activities.

Category B: These project are those that expect to get approving during the current year, but which have notmet all the federal statutory or administrative requirement or are proposed to be implemented by a subrecipient that has not met all the Federal requirements. For example, a major capital project other than vehicle purchase in Category B may be a project that has not yet completed the NEPA process or other federal environmental requirements.

10% Administration

RTAP

Total

ENHANCED MOBILITY OF SENIORS AND INDIVIDUALS WITH DISABILITIES (SECTION 5310) PROGRAM OF PROJECTS

DESIGNATED RECIPIENT: Utah Department of Transportation

CARRYOVER: \$0

Total Traditional 5310 55% Capital Amount \$0

21-May-14

APPORTIONMENT(DM): \$0 STATE ADMINISTRATION: \$0

APPORTIONMENT(DS): \$0 STATE ADMINISTRATION: \$0

(FTA Section 5310) FFY: XXXX

Total Number of Subrecipients funded in this Program of Projects: 0

Total Other Capital Amount \$0

Total Operating Expense Amount \$0

10% Administration Expense Amount \$0

Total Program \$0

Grant Total Amount \$0

SUBRECIPIENT				PROGRAM								AWARD AMOUNT					
NAME/ADDRESS/TELEPHONE/EMAIL/ WEBSITE	SUB TYPE (Private/Public)	SERVICE AREA (Include cities and counties)	Category of Approval	ACTIVITY (Capital or Operating)	PROJECT DESCRIPTION (Include ALI's per project and quantity if applicable)	SERVICE AREA	**CONGRESS DISTRICT	*COORD. PLAN	***Eligible Project Type	TRIBAL	NET PROJECT COST		FEDERAL SHARE		LOCAL MATCH		
											CAPITAL	OPERATING	CAPITAL	OPERATING	CAPITAL	OPERATING	
DM = Small Urbanized Areas (50,000-200,000)																	
		DM	A			DM - Small Urbanized:					\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
		DM	A			DM - Small Urbanized:					\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
		DM	A			DM - Small Urbanized:					\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
		DM	A			DM - Small Urbanized:					\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Totals											\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
DS = Rural Areas (under 50,000)																	
		DS	A			DS - Rural:					\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
		DS	A			DS - Rural:					\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
		DS	A			DS - Rural:					\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
		DS	A			DS - Rural:					\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
		DS	A			DS - Rural:					\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Totals											\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
PROGRAM OF PROJECTS TOTALS																	
(5310) Program of Projects Subtotals											\$0	\$0	\$0	\$0	\$0	\$0	
* Coordinated Plan Date & Page											(5310) Program of Projects Totals	\$0	\$0	\$0	\$0	\$0	\$0

\* Coordinated Plan Date & Page

\*\* Congressional Districts

District 1	Box Elder, Cache, Rich, Summit, Daggett, Duchesne, Morgan and Uintah Counties
District 2	Tooele, Juab, Millard, Beaver, Iron, Wasington, Sanpete, Sevier, Piute, Wayne, Garfield, Kane Counties
District 3	Wasatch, Carbon, Emery, Grand, San Juan Counties
District 4	Nephi City and Mt Pleasant City

\*\*\* Eligible Project Type

(A) public transportation projects planned, designed, and carried out to meet the special needs of seniors and individuals with disabilities when public transportation is insufficient, inappropriate, or unavailable;

(B) public transportation projects that exceed the requirements of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.);

(C) public transportation projects that improve access to fixed route service and decrease reliance by individuals with disabilities on complementary paratransit; and

(D) alternatives to public transportation that assist seniors and individuals with disabilities with transportation.



**APPENDIX C      Invoice letter**



January 8, 2014

Tim Boschert  
UDOT Public Transit Team  
4501 S 2700 W  
Box 143600  
Salt Lake City, UT 84114-3600

Dear Tim:

This letter is a formal request by XYZ City for reimbursement for federal funds from UDOT Contract #123456.

Agency Invoice # (optional)

Invoice # 123113123456 (billing period end date + contract #)

Invoice billing period: October 1 through December 31, 2013

<b><u>80% Federal Funding</u></b>	<b><u>20% Local Match</u></b>	<b><u>Total Cost</u></b>
\$51,830.40	\$12,957.60	\$64,788.00

Attached you will find the itemized detail of expenditures and all required backup documentation. Please contact me with any questions.

Sincerely,

John Doe  
City Administrator